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S. HRG. 99-380

# DAYLIGHT SAVINGS EXTENSION ACT OF 1985

M109 ORIGINAL

## HEARING

BEFORE THE

## SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

OF THE

## COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

NINETY-NINTH CONGRESS

FIRST SESSION

ON

**S. 240**

TO AMEND THE UNIFORM TIME ACT OF 1966 TO PROVIDE THAT DAYLIGHT SAVINGS TIME COMMENCE EACH YEAR ON THE FIRST SUNDAY IN MARCH RATHER THAN THE LAST SUNDAY IN APRIL

**S. 1433**

TO PROVIDE FOR DAYLIGHT SAVING TIME ON AN EXPANDED BASIS, AND FOR OTHER PURPOSES

OCTOBER 31, 1985

Printed for the use of the
Committee on Commerce, Science, and Transportation

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# DAYLIGHT SAVINGS EXTENSION ACT OF 1985

THURSDAY, OCTOBER 31, 1985

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE,
*Washington, DC.*

The subcommittee met, pursuant to notice, at 9:30 a.m., in room SR-253, Russell Senate Office Building, Hon. Slade Gorton (chairman of the subcommittee) presiding.

Staff members assigned to this hearing: Charlie Faust, professional staff member; Loretta Dunn and Cheryl Wallace, minority staff counsels.

## OPENING STATEMENT BY SENATOR GORTON

Senator GORTON. Good morning. Welcome to this hearing before the Science, Technology, and Space Subcommittee. We are here for a hearing on legislation to extend daylight saving time beyond its present 6-month time, which extends from the last Sunday in April to the last Sunday in October.

The discussion this morning will center on two Senate bills which are pending before the Commerce Committee. S. 240, introduced by Senators Cranston and Pell, would begin daylight saving time on the first Sunday in March. This bill would extend daylight saving time by either 7 or 8 weeks each year, depending upon where the first Sunday in March falls.

S. 1433, which I introduced along with Senators Mitchell and Wilson, would begin daylight saving time on the first Sunday of April and end it on the first Sunday of November. This represents an extension of 3 or 4 weeks at the beginning of daylight saving time and a 1-week extension at the end, the purpose of which is to provide an extra hour of daylight on Halloween for the safety of trick-or-treaters.

The effect of daylight saving time is to transfer an hour of daylight from the early morning to the early evening. Daylight saving time was created to make the hours of daylight coincide with the hours of the day in which people are awake and active.

Of course, the wide variety of lifestyles among Americans creates controversy as to the portion of the year in which daylight saving time is beneficial. Since the Uniform Time Act of 1966 established the current 6-month period of daylight saving time, the Congress has considered several proposals to extend it.

Proponents of these measures have cited many potential benefits, including energy savings, enhanced traffic safety, reduced violent crime, and increased recreational opportunity. Opponents have



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argued that the darker mornings created by extended daylight saving time would be hazardous for people, especially schoolchildren, who are on the streets in the early morning hours. In addition, farmers, who work by the Sun, oppose extended daylight saving time on the grounds that later sunrises and sunsets leave them less time for other activities.

The only extension of daylight saving time since 1966 was approved for the purpose of energy conservation by the Congress in 1973. Daylight saving time was observed for 10 months in 1974 and for 8 months in 1975. This experience with extended daylight saving time offers an interesting study of the potential effects of a permanent extension. The Department of Transportation, which has administrative responsibility for the Uniform Time Act, found that significant energy savings, reductions in traffic fatalities, and in violent crime did occur under extended daylight saving time. We will discuss these findings with representatives of the Department later this morning.

On the other hand, the National Bureau of Standards found that fatalities among school-age children increased when daylight saving time was observed in January and February, although no such increase was found for March and April. These facts show clearly that the benefits of a permanent extension of daylight saving time are real and significant, but also that excessive extension can create hazards which outweigh benefits.

I have proposed S. 1433 in an effort to balance the interests and concerns that fall on each side of this issue. S. 1433 would extend the economic and social benefits of daylight saving time without creating dangerously dark mornings. In fact, the sunrises in April under daylight saving time would be earlier than those during the 4 months of standard time.

It also is interesting to note that, although safety of children is often used as an argument against extending daylight saving time, the proposal to include the week of Halloween has been endorsed by, among others, the National Safety Council. Sunset this evening in Washington will occur a few minutes after 5 o'clock, which will deny many young trick-or-treaters the safety of daylight. I hope that my colleagues agree that daylight saving time on Halloween would enhance safety.

I am pleased to note that the House of Representatives passed H.R. 2095, which is identical to S. 1433, and that many of the key supporters of the House legislation were Members who opposed bills which would have created longer extensions of daylight saving time. I hope that my colleagues in the Senate also will support this legislation as a compromise proposal.

This morning we will hear from some Members of Congress who are interested in extended daylight saving time, from the Department of Transportation, and from the Daylight Saving Time Coalition and several of its member organizations. We also have received a number of statements for our hearing record, including one from the American Farm Bureau Federation, which opposes extension of daylight saving time.

As always, we will hold our hearing record open for a few days, and we will be pleased to include statements from any and all interested parties.

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Senator Goldwater.

Senator GOLDWATER. Well, we do not believe in daylight saving time and we are not going to change our minds. I am just here to listen. We have always got the Sun out there. It comes up on time, it goes down on time.

Senator GORTON. And you are one of the States that is never on it.

Senator GOLDWATER. We do not pay any attention to it. In fact, we ought to be on Pacific coast time. But we do not like the Pacific coast.

Senator GORTON. Senator Ford has an opening statement for the record.

## OPENING STATEMENT BY SENATOR FORD

Senator FORD. Mr. Chairman, first let me thank you for allowing me to be here this morning. I am not a member of the subcommittee, but I am a member of the full committee.

I would like to make two points, if I may, and then allow my statement to be in the record. We hear a lot about the companies who are attempting to increase daylight saving time for a longer and an extended period of time. They are now leaning on Halloween to extend that period, and that means that the candy companies want to make more profit.

Well, I understand the profit motive, but I do not understand how they can go beyond the safety of the children. Halloween is not what it used to be. It used to be that you did not find needles in candy, and you did not find certain kinds of drugs in candy. Never before have we had to take the candy to the hospital to have it x rayed before we allow our children to eat it.

And so now, if you are leaning on Halloween as 1 day for the extension, I think the candy companies ought to do something to prevent these sorts of things, so that our children will be not only safe from eating the candy on Halloween, but they will be safe on the road.

The second item: I do not know how many of you lived through last week here in Washington, but the first 4 days of last week it rained. The roads were slick and all the children were standing on the side of the road to be picked up by the schoolbuses. This week, if you all get up in time to come to work by 7 o'clock, you would know that it was daylight this week, and those same children who were out in the rain last week who were in darkness, were in daylight this week.

Now, Mr. Chairman, one other item and then my statement will be through. When I was Governor of Kentucky, under the law that was passed by the Congress prior to my arrival here—it was the national—it was during the embargo, and it was the Emergency Daylight Saving Time Energy Conservation Act. And as Governor of Kentucky, I took the preogative under that piece of legislation to put all my State on the same time, which was allowable, with the exception of two basic areas.

One was the Cincinnati area in Kentucky, and they worked across the river in Cincinnati, and I excluded those river counties,

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three or four of them, because Ohio decided to stay on daylight time.

The other one was the Charleston and Huntington, WV, area in extreme east Kentucky. I had no basic complaints.

As soon as the bill was repealed, Kentucky went off of that. So if you are running around these halls using that as an endorsement by Wendell Ford of the extension of daylight saving time, I want it a matter of record that I did it under the law of what was in the best interest of my people. And when it was repealed we went back to the 6 months and 6 months like everybody else.

So Mr. Chairman, I appreciate the opportunity to be here this morning and I look forward to the witnesses and profit versus children.

[The statement follows:]

OPENING STATEMENT BY SENATOR FORD

Mr. Chairman, I appreciate the opportunity to make an opening statement and to participate in this hearing. I am no longer a member of this subcommittee, but I do serve as a member of the full Committee. Also, as everybody in this room already knows, I am extremely interested in the subject of today's hearing.

In preparing for this hearing, I ran across several quotes I would like to share with my colleagues. Many people have questioned why I am so interested in not extending DST for another month and why it is such an emotional issue in my state. State Senator Delbert Murphy ranks DST as "one of the three most emotional issues of my service in the General Assembly." He adds, "That time is more important to people than the budget. They don't care how we spend the money. They just want to know what time we are going to spend it on."

I recently heard from a Kentucky mother who found it just as hard to get a child to go to bed while it is still daylight as it is to get a child to wake up while it is still dark. Any Kentucky mother who has sent a first grader out to catch a bus on a dark, misty April morning takes a dim view about the importance of electricity that might be saved on the east and west coasts and the number of after-work tennis games in Washington, D.C.

I heard yesterday from a constituent in Louisville, "I'm tired of having to spend half my day in the dark just so some soft executive can have a barbeque when he gets home, in November." Another recent letter from Louisville, "don't tell me it saves lives and energy, I've lived in this world too long to swallow that."

Throughout the consideration of this issue, I have always thought that only those individuals in the westernmost portion of a time zone opposed extended DST. On Monday, I received a letter from Sacramento, California, which stated, "The Pro-DST faction portrays the anti-DST crowd as either a special interest group such as farmers or religious extremists who don't want 'God's Time' tampered with. This is hardly the case. I have no desire to get up in the dark so candy manufacturers can make more money off of Halloween sales."

There is one special interest group in this argument I would like to mention and that group is children. We have spent a lot of time lately in the Congress and especially in the media on improving education, the plight of missing children, and the need to protect children from all kinds of behavior. Children have a stake in this extended DST argument. Although the issue of the coalition to extend DST is purely economic as I read in Fortune magazine several months ago, the children's issue is purely emotional. It is only logical that schoolchildren walking along rural or mountain roads in the dark are in danger. Also, in Kentucky there are weather conditions in the early spring and late fall such as fog and inclement weather when added to the darkness, increases the danger. One suggestion has been to delay school openings in the extra month of extended DST which would certainly deprive children of instructional time and would cause conflicts for working families. The importance of the safety of children is at issue and far exceeds any economic consideration in the extension of DST debate.

I would like to again point out for the record my activities while Governor of Kentucky regarding the emergency DST activities of the Arab embargo. I understand that this is being used by the coalition in their lobbying efforts and I would again like to explain I have never supported extended DST and the documents I am including for the record indicate that I was acting in compliance with the Emergency

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Daylight Saving Time Energy Conservation Act of 1973, and due to the harsh effects of that Act on certain parts of Kentucky, I requested a realignment for those parts of Kentucky bordering on large out-of-state metropolitan areas. This enabled the Kentuckians in those border areas to commute to work in nearby states without having to adjust to a different time zone. When that emergency situation ceased by repeal of the Act in 1974, I requested that those areas of Kentucky revert back to their normal time zone.

Finally, I sincerely believe that if the Senate passes extended DST, it sends a message to middle America particularly rural areas that we have given up on rural America. I would like to allow those citizens on the east coast and the Chairman's state on the west coast the opportunity to have an extra hour of daylight in the evening for recreational activities. Unfortunately, by allowing another month of DST for the east and west coast, we create more hardships for individuals in the midwest. Times are hard enough in largely agricultural states and if we increase DST it is just another blow to these citizens.

[The bills follow:]

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99TH CONGRESS
1ST SESSION

# S. 240

To amend the Uniform Time Act of 1966 to provide that daylight savings time commence each year on the first Sunday in March rather than the last Sunday in April.

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IN THE SENATE OF THE UNITED STATES

JANUARY 22 (legislative day, JANUARY 21), 1985

Mr. CRANSTON (for himself and Mr. PELL) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

# A BILL

To amend the Uniform Time Act of 1966 to provide that daylight savings time commence each year on the first Sunday in March rather than the last Sunday in April.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Energy Conservation Daylight Saving Act of 1985".

SEC. 2. The Congress hereby finds—

(1) that various studies of governmental and nongovernmental agencies indicate that daylight saving time over an expanded period would produce a significant energy saving in electrical power consumption;

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(2) that daylight saving time may yield energy savings in other areas besides electrical power consumption;

(3) that daylight saving time over an expanded period could serve as an incentive for further energy conservation by individuals, companies, and the various governmental entities at all levels of government, and that such energy conservation efforts could lead to greatly expanded energy savings; and

(4) that the use of daylight saving time over an expanded period could have other beneficial effects on the public interest, including the reduction of crime, improved traffic safety, more daylight outdoor playtime for the children and youth of our Nation, greater utilization of parks and recreation areas, expanded economic opportunity through extension of daylight hours to peak shopping hours and through extension of domestic office hours to periods of greater overlap with the European Economic Community.

SEC. 3. (a) Section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)) is amended by striking out "last Sunday of April" and inserting in lieu thereof "first Sunday of March".

(b) Any law in effect on the date of the enactment of this Act—



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(1) adopted pursuant to section 3(a)(2) of the Uniform Time Act of 1966 by a State with parts thereof in more than one time zone, or

(2) adopted pursuant to section 3(a)(1) of such Act by a State that lies entirely within one time zone,

shall be held and considered to remain in effect as the exercise by that State of the exemption permitted by such Act unless that State, by law, provides that such exemption shall not apply.

SEC. 4. Notwithstanding any other law or any regulation issued under any such law, the Federal Communications Commission shall, consistent with any existing treaty or other agreement, make such adjustment by general rules, or by interim action pending such general rules, with respect to hours of operation of daytime standard amplitude modulation broadcast stations, as may be consistent with the public interest, including the public's interest in receiving interference-free service. Such general rules, or interim action, may include variances with respect to operating power and other technical operating characteristics. Subsequent to the adoption of such general rules, they may be varied with respect to particular stations and areas because of the exigencies in each case.

SEC. 5. This Act shall take effect on the date of the enactment of this Act, except that if the date of enactment



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occurs in any calendar year after March 1, this Act shall take effect on the first day of the following calendar year.

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99TH CONGRESS
1ST SESSION

# S. 1433

To provide for daylight saving time on an expanded basis, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JULY 15, 1985

Mr. GORTON (for himself, Mr. MITCHELL, and Mr. WILSON) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

---

# A BILL

To provide for daylight saving time on an expanded basis, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Daylight Savings Extension Act of 1985".

CONGRESSIONAL FINDINGS

SEC. 2. The Congress finds that—

(1) various studies of governmental and nongovernmental agencies indicate that daylight saving time over an expanded period would produce a significant energy savings in electrical power consumption;

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(2) daylight saving time may yield energy savings in other areas besides electrical power consumption;

(3) daylight saving time over an expanded period could serve as an incentive for further energy conservation by individuals, companies, and the various governmental entities at all levels of government, and that such energy conservation efforts could lead to greatly expanded energy savings; and

(4) the use of daylight saving time over an expanded period could have other beneficial effects on the public interest, including the reduction of crime, improved traffic safety, more daylight outdoor playtime for the children and youth of our Nation, greater utilization of parks and recreation areas, and expanded economic opportunity through extension of daylight hours to peak shopping hours and through extension of domestic office hours to periods of greater overlap with the European Economic Community.

DAYLIGHT SAVING EXTENDED

SEC. 3. Section 3(a) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)) is amended—

(1) by striking "last Sunday of April" and inserting in lieu thereof "first Sunday of April"; and

(2) by striking "last Sunday of October" and inserting in lieu thereof "first Sunday of November".



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EFFECT ON EXISTING STATE ELECTIONS

SEC. 4. Any law in effect on the date of the enactment of this Act—

(1) adopted pursuant to section 3(a)(2) of the Uniform Time Act of 1966 (15 U.S.C. 260a(a)(2)) by a State with parts thereof in more than one time zone, or

(2) adopted pursuant to section 3(a)(1) of such Act (15 U.S.C. 260a(a)(1)) by a State that lies entirely within one time zone,

shall be held and considered to remain in effect as the exercise by that State of the exemption permitted by such Act unless that State, by law, provides that such exemption shall not apply.

ADJUSTMENT OF OPERATING HOURS OF DAYTIME BROADCASTERS

SEC. 5. (a) ADJUSTMENT OF OPERATING PERIOD.—Notwithstanding any other law or any regulation issued under any such law, the Federal Communications Commission shall, consistent with any existing treaty or other agreement, make such adjustment by general rules, or by interim action pending such general rules, with respect to hours of operation of daytime standard amplitude modulation broacast stations, as may be consistent with the public interest, including the public's interest in receiving interference—free service.



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(b) VARIANCE FOR POWER AND OTHER OPERATING CHARACTERISTICS.—Such general rules, or interim action, may include variances with respect to operating power and other technical operating characteristics.

(c) SUBSEQUENT CHANGES.—Subsequent to the adoption of such general rules, they may be varied with respect to particular stations and areas because of the exigencies in each case.

EFFECTIVE DATE

SEC. 6. This Act shall take effect sixty days after the date of the enactment of this Act, except that if such effective date occurs in any calendar year after March 1, this Act shall take effect on the first day of the following calendar year.

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Senator GORTON. Now, I am delighted to recognize one of the cosponsors of my proposal on this subject, Senator Mitchell.

**STATEMENT OF HON. GEORGE J. MITCHELL, U.S. SENATOR FROM MAINE**

Senator MITCHELL. Thank you, Mr. Chairman.

I appreciate the opportunity to appear before this committee to discuss S. 1433, the bill which you and I and Senator Wilson have introduced to extend daylight saving time by approximately 1 month.

S. 1433 offers numerous benefits to the Nation. It represents a safe, straightforward, and positive means to increase energy savings, decrease traffic fatalities, reduce violent crime, enhance the lives of persons who suffer from night blindness, and add to the hours that Americans can safely spend outdoors. Few proposals submitted to Congress offer such clearcut gains.

Last week, as you said, Mr. Chairman, the House of Representatives passed an extension of daylight saving time by a vote of 240 to 157. The House measure and S. 1433 are identical. They represent a compromise from other proposals which would extend daylight saving time for an even longer period of time.

Daylight saving time was first used in World Wars I and II as a means to conserve energy. The Uniform Time Act of 1966 formally implemented national daylight saving time in its present 6-month period. As a response to the 1973 oil crisis, Congress enacted the Emergency Daylight Saving Time Energy Conservation Act, extending it to 10 months in 1974 and 8 months in 1975.

Daylight saving time is intimately tied to the United States desire for energy conservation and energy independence. Indeed, it is an idea with roots in the era of America's Declaration of Independence. One of the first proponents of daylight saving time was Benjamin Franklin, who woke up one morning in Paris in 1784 and saw his room filled with sunlight.

He realized that many Parisians spent sunlit hours sleeping and later burned candles while awake at night. Franklin wrote: "It is impossible that a wise people would have made use of unhealthy and expensive candlelight if they had known, as I have just learned, that they can have for nothing the beautiful and pure light of the Sun."

Franklin proposed to encourage—although, fortunately, not seriously—the widespread use of sunlight rather than candles through a tax on window shutters, the rationing of candles, and the firing of cannons in the streets at sunrise to awaken citizens and make them open their eyes to their true interest.

Nonetheless, the essence of Franklin's idea remains true today. Over 200 years later, it is no longer simply candlelight which is wasted. A 1975 Department of Transportation study on the impact of the 1974 daylight saving time extension estimated that the equivalent of 100,000 barrels of oil was saved each day. S. 1433 would therefore save approximately 3 million barrels of oil each year with its 1 additional month of daylight saving time.

The United States energy situation has changed. Fuel prices are still the primary factor in controlling fuel use, and the price of oil

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on international markets has edged in our favor. But we live in a world where Iran and Iraq are still at war along the Persian Gulf. Tensions and terrorism still flare in the Middle East. Lines of commerce are always fragile. The need for energy conservation and energy vigilance is undiminished.

The argument for an extension of daylight saving time becomes even more compelling when one considers the benefits of increased traffic safety and reduction in violent crime. The 1975 Department of Transportation study showed a 0.7 percent reduction in traffic fatalities in March and April of 1974 under extended daylight saving time compared to comparable months under standard time. This estimate was, I have been advised, a conservative calculation, and Department analysts believe the actual reduction to be more on the order of between 1.5 and 2 percent.

According to the National Crime Survey at the Departments of Justice and Commerce, the most serious forms of crime, alarmingly, occur in the evening or at night, rather than in the early morning hours. Most violent criminals operate under cover of darkness. Increased daylight in the critical hours when many Americans are coming home from work can act as a deterrent to violent crime.

I am aware of the fears that expanded daylight saving time would increase early morning traffic accidents, especially involving schoolchildren, and inconvenience our Nation's farmers. Mr. Chairman, I represent the State of Maine, which is a rural State, where many people earn their living through agriculture, and the majority, indeed the overwhelming majority, of schoolchildren in my State are bused to school. I am therefore particularly sensitive to these concerns. However, after close and careful study, I believe these arguments are unfounded.

There is virtually no proof that a month's extension of daylight saving time adversely affects American agriculture. The 1975 Department of Transportation study stated flatly:

> Daylight saving time does not affect agricultural activities or production. In general, agricultural activities are insensitive to clock time, and farmers and ranchers—as well as most other groups in agriculture—are not vitally concerned with what type of time system is used. Farmers' activities are determined by seasonal factors and are principally geared to the hours of sunlight, and these patterns pertain irrespective of clock setting.

The safety of schoolchildren similarly is not adversely affected. The Department's 1975 study also concluded that for the January to April 1974 daylight saving time period: "School-age children were not subject to greater involvement in fatal accidents than the general population at any period of time day."

I emphasize that the study on which that conclusion was based was for January through April of 1974. The bill which we have introduced would extend daylight saving time only into early April.

A 1976 National Bureau of Standards study of school-age children fatalities also found no increase in morning fatalities during the March and April daylight saving time period. A Department of Transportation analysis of daylight saving time between 1979 and 1981 additionally concluded that: "There appears to be no basis for claims that daylight saving time transitions caused increases in schoolchildren morning fatalities."

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I reiterate to the committee that S. 1433 is a compromise bill. Daylight saving time would begin the first Sunday in April, rather than in March, as many other bills have proposed. Accordingly, under this extension sunrise times in the spring would occur no later than the times currently occurring during the fall under the existing system. Farmers and schoolchildren would not be subjected to early morning conditions any different from those they already live under in the fall.

Older schoolchildren coming home in the evening, particularly if they have participated in school sports or other extracurricular activities, stand to benefit from the extra hour of daylight.

Safety also is of paramount concern. The bill has been especially tailored to extend the current system from the last Sunday in October to the first Sunday in November so as to include Halloween. It is appropriate that we are having this hearing on Halloween day. Tonight, as we all answer the doorbell and knocks on our front doors, I hope we will all notice the time and the amount of darkness outside. An extra hour of daylight this evening would enhance the safety of children who make their way through America's streets and neighborhoods asking for tricks or treats.

Americans are looking to us this year to finally write into law a proposal which is practical and reasonable. The committee will have the opportunity to take the first step in the Senate toward doing so. Congress, like the hands of time itself, sometimes moves slowly. But I submit to you, with no pun intended, that the time finally has come to enact an extension of daylight saving time.

I thank you very much, Mr. Chairman and Senator Goldwater and Senator Ford, for your courtesy.

Senator GORTON. Thank you, Senator Mitchell.

Congressman Conte, we are glad to have you here. You are welcome.

## STATEMENT OF HON. SILVIO O. CONTE, U.S. REPRESENTATIVE FROM MASSACHUSETTS

Mr. CONTE. Thank you. Mr. Chairman, Senator Goldwater, my good friend, and Senator Ford.

It is a pleasure to be over here on the other side of the Capitol to speak in strong support of the legislation to extend daylight saving time.

As the first Member of the House to introduce legislation extending daylight saving time and as an original sponsor of H.R. 2095, which passed the House last Tuesday, I strongly support this proposal. My bill, H.R. 1935, would have extended daylight saving time for 2 months, beginning on the first Sunday in March and ending on the last Sunday in October. However, the bill that passed the House extends daylight saving time for 1 month. The bill also grants the Federal Communications Commission the authority to allow AM radio broadcasters to broadcast before sunrise.

As it passed the House, the bill is a compromise, but one which I wholeheartedly endorsed, and it passed by a vote of 240 to 157. There is widespread support for this bill across the Nation, although there are a few people who are opposed to it.

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I have received countless letters from across the country since I filed the bill thanking me for introducing it. Senator Cranston of California and Senator Pell of Rhode Island over here in this body, and others, have also introduced a daylight saving time extension, which should give you some sense of the support which exists for this proposal from sea to shining sea.

When the House considered this legislation last Tuesday—and this, I think, is a very important point—some Members claimed that moving up the starting date of the daylight saving time would result, as the Senator mentioned, in children walking to school in the dark. I do not see the merit in this argument.

In fact, if the House bill were enacted, sunrises would be earlier than they are now in every month from September to February. I went over to the Library of Congress to check on the sunrises in some of the cities, and it is true H.R. 2095 will result in earlier sunrises in April than we now have in September.

If our bill were enacted, sunrise in Pittsburgh on April 6 would be at 6:56 a.m., 20 minutes earlier than the 7:16 a.m. sunrise on September 30. Omaha, NE, would have a sunrise of 6:57 a.m., as opposed to 7:20 a.m. And Los Angeles, CA, would be 6:34 a.m., as opposed to 6:46 a.m. So H.R. 2095 will result in earlier sunrises.

But you just look around you now. We went back to standard time last Sunday, and it is getting dark at 5 o'clock in the afternoon. I would rather have an extra hour of sunlight in the evening, especially in April, when I plant my tomatoes and peppers and lettuce. You know, I am the biggest farmer here in the U.S. Congress who tills the soil, and I would find this a great benefit.

The benefits of extended daylight saving time are widespread. In 1974, when the United States was on year-round daylight saving time, the Department of Transportation estimated that each day of daylight saving time saved 100,000 barrels of oil a day. The Department also estimated that violent crime was reduced by 13 percent in the cities studied and that traffic fatalities also were reduced.

So Mr. Chairman, I urge you to act favorably on this bill and send it to the Senate floor. And let me conclude my remarks by asking unanimous consent that a letter by myself, Representative Markey, and Representative Moorhead of California be included in the record of today's hearings; and ask, further, unanimous consent that my full statement be submitted into the record.

And Mr. Chairman, let me—this morning I got up and I found something here that I would like to read:

> Let there be light, sayeth we to thee: Passeth this bill and extend daylight saving time. Yea, though thee driveth home in the April of darkness, thee should have no fear, for the House always acteth responsibly. Sendeth the bill to the White House, thee Senate, so that when thee walkest beside green pastures in April, it shall be in the light.

[The statement and letter referred to follow:]

STATEMENT OF HON. SILVIO O. CONTE, U.S. REPRESENTATIVE FROM MASSACHUSETTS

Chairman Gorton and members of the Subcommittee, I want to thank you for inviting me to testify today on the concept of extending daylight saving time.

Mr. Chairman, as the first member of the House of Representatives to introduce legislation this year extending daylight saving time, or D.S.T., and as an original sponsor of H.R. 2095, which passed the House last week, I strongly support this concept. My legislation, H.R. 1935, provide that D.S.T. would begin on the first Sunday

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in March, as opposed to the last Sunday in April. My bill also continues to provide states an exemption from daylight saving time. It grants authority to the Federal Communications Commission to waive their requirement that some AM radio broadcasters cannot broadcast before sunrise. The legislation would generally take effect on January 1, 1986.

Mr. Chairman, it is clear that there is widespread support for expanded D.S.T. in the Congress and in the nation. In the past several months, I have received mail from all over the country thanking me for introducing this legislation. Newspaper articles have focused on H.R. 1935, H.R. 2095, and S. 240, virtually identical legislation introduced over here by Senators Cranston and Pell. The House passed similar legislation in 1981; the full Senate has not considered daylight saving time legislation in the past several years.

Admittedly, there are concerns with this legislation. Many individuals mistakenly believe that daylight saving time on a expanded basis would result in schoolchildren being forced to walk to school in darkness in March and April. My bill is based on the premise that schoolchildren require no earlier daylight in March and April than in September and October. In other words, under my bill, it will be no darker in March and April than it is now in September and October, when we already have daylight saving time. It is also significant that Senator Cranston is a prime sponsor of similar legislation because he represents a state (California) which lies in the western side of its time zone and therefore experiences sunrises and sunsets later than States which lie in the eastern sides of their time zones.

An eight month period of daylight saving time will provide numerous benefits to the nation. It would save American consumers as much as 100,000 barrels of oil per day—a total of 5.6 million barrels per year. In the mid-1970's, when the nation was on year-round D.S.T. as an energy conservation measure, the National Highway Transportation Safety Administration predicted that there would be 200 fewer traffic fatalities per year if observance of daylight saving time was extended. Street crime would also be reduced.

My legislation fully embodies the concept of D.S.T. During part of the year, the sun rises before most people do. If the clock is advanced, sunrise by the clock will be later, as will sunset. This shift "saves" daylight in the sense that it reduces the number of daylight hours when people are normally asleep and increases the number when they are normally awake.

I would also like to comment on H.R. 2095, a version of my legislation, which passed the House by a vote of 240–157 last week. In general, H.R. 2095 would extend daylight saving time for one month: it would begin on the first Sunday in April and end on the first Sunday in November. The extension at the end is particularly important, since it will insure that children are not "Trick or Treating" in the dark on Halloween. The bill is a compromise—but one which I endorse completely.

Mr. Chairman, let me re-iterate my strong support for expanded daylight saving time. Many members of the House and Senate support the bill. I think most people in the nation do, and the Administration supports the concept. It's a sensible bill, and there is no reason to oppose it. Let there be light, Mr. Chairman. Support extended daylight saving time.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
*Washington, DC, October 29, 1985.*

Hon. SLADE GORTON,
*Chairman, Subcommittee on Science, Technology and Space, Committee on Commerce, Science, and Transportation, U.S. Senate, Hart Senate Office Building, Washington, DC.*

DEAR MR. CHAIRMAN: As sponsors and supporters of H.R. 2095, legislation to extend daylight saving time for one month, we are writing to urge your Committee to act favorably on this legislation.

As you know, the House passed H.R. 2095 on Tuesday, October 22 by a vote of 240–157. The bill is a fair, balanced compromise between Members of the House who supported longer periods of daylight saving time and Members who represented western parts of time zones and opposed a lengthy extension.

This legislation, as passed by the House, is a bill we can all support because the principal concern—late sunrises in western parts of time zones—has been ameliorated. In fact, if H.R. 2095 were enacted, sunrises in the month of April will be earlier everywhere in the nation than they are now in the months of October to February.

The benefits of a one month extension of daylight saving time are many and varied. The Department of Transportation has estimated, for example, that every day of DST saves 100,000 barrels of oil. The Department has also demonstrated that extended DST saves lives and reduces violent crime. We believe that the merits of

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this legislation far outweigh any illusory objections, and urge its speedy adoption by your Committee and the full Senate.

If we can answer additional questions or be of further assistance, please do not hesitate to call us or our staffs.

With best wishes and warm regards,

Sincerely,

EDWARD J. MARKEY,
SILVIO O. CONTE,
CARLOS J. MOORHEAD,
*Members of Congress.*

Senator GORTON. Thank you, Congressman Conte. I note Senators Cranston and Wilson have submitted statements, which will be included in the record.

Senator Rockefeller, did you have an opening statement?

Senator ROCKEFELLER. No, thank you, Mr. Chairman.

Senator GORTON. Senator Mitchell, as I look at a map of time zones it strikes me that your State may be the single State most adversely affected by the present time system. Do you have any kind of illustrations of what the effect the present system has in a State like Maine?

Senator MITCHELL. Well, of course, Mr. Chairman, the most severe effect is that the darkness comes extremely early, particularly in the eastern and northernmost parts of the State. While it is true that people have to drive in darkness in the morning under certain circumstances, as Senator Ford indicated, we also remember that people are driving home; and the evening traffic in my State is almost always in total darkness during these periods of time.

I think the disadvantages of evening darkness are vastly greater than any disadvantages that might result from the change. And I would just like to comment and say, on the question of schoolchildren, I do live in a rural State. The largest city in my State has 60,000 people in it. Almost all schoolchildren in my State are bused to school. Very, very few are not bused.

And so before I decided to sponsor this legislation, I investigated the safety question very carefully. Now, we can legislate on the basis of individual anecdotes or we can legislate on the basis of the evidence that exists as a result of studies. And as I indicated in my remarks, the Department of Transportation's 1975 study concluded that there was no evidence that the safety of schoolchildren was adversely affected by this change.

A 1976 National Bureau of Standards study found no increase in morning fatalities during the March and April daylight saving time period when it occurred. And as you know, Mr. Chairman, our bill would just extend it into April, not into March.

And the Department of Transportation study analysis made in 1979 and 1981 concluded that there is no basis for claims that the DST transition increased schoolchildren morning fatalities. So there does not appear to be any evidence to substantiate this argument, but it does of course continue. And I think we all share a concern for children, those of us who are for this legislation and those of us who are against it.

Senator GORTON. Senator, you also spoke of the bill which you and I have introduced together as being a compromise with respect to March. I gather that if you had your choice for your own con-

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stituents in Maine, you might well prefer a much longer or even a yearlong daylight saving time?

Senator Mitchell: I would favor a 10-month daylight saving time if that were possible, Mr. Chairman. But I realize that it is not possible. And I do emphasize the point that you made, particularly to those who are opposed to this legislation. Senator Pell will be here to testify on behalf of his bill, which extends daylight saving time even further.

The proposal that we have made and which the House passed and which the Congressman just testified in favor of is a very modest compromise, extending it 3 weeks into the spring and 1 week into the fall. And as the Congressman indicated very clearly through the examples he cited and as I said in my statement, no one would be subjected to an earlier hour of darkness in the spring than they are already subjected to in the fall.

Remember, this is supposed to be daylight saving time and we are trying to make it more symmetrical as to light, as opposed to weather, which it is really not based upon and which has no relevance to the situation.

Senator GORTON. We have Senator Pell here, but in order to convenience the two of you, Senator Ford, do you have questions for either Senator Mitchell or Congressman Conte?

Senator FORD. I understand my good friend Senator Mitchell's problem. Under this bill, his State has the extreme favorable position. My State has the extreme unfavorable position.

George, would you not think it is a little bit unusual that—as Congressman Conte says, from sea to shining sea, but he forgot the core. It is just each coast that is in favor of this. The core of this great country apparently is not.

It does not make any sense to me that your mothers would want to get their children up in the dark and then try to get them to bed during daylight hours. It just does not wax well, since you are a rural State, and that bothers me some. If this bill passes, what time will sunrise be in your capital city in Maine?

Senator MITCHELL. I have not checked that out, Mr. Chairman. I would be glad to get that time. You probably have it there, but I do not.

Senator FORD. No, I do not have it. But I know that if your bill passes sunrise will be 8:20 a.m. in my State, and 8:20 a.m. is a little late, because you are already at school, and you are already at work. You have turned your heat up because you are up. You have turned your lights on because it is dark.

And it does seem like it is a little bit extreme to put us in this sort of situation on the western edge of all time zones.

[The following information was subsequently received for the record:]

U.S. SENATE,
*Washington, DC, November 11, 1985.*

Senator SLADE GORTON,
*Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.*

DEAR SENATOR GORTON: I wish to submit additional information for the record of the Commerce Committee's hearing on Daylight Saving Time, which you chaired and at which I testified on October 31, 1985.

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During that hearing, Senator Ford inquired as to what time the sunrise would occur in Maine's capital city, if S 1433 were adopted. He indicated that sunrise wuld be at 8:20 a.m. in Frankfurt, Kentucky, his own state capital.

S. 1433 would extend Daylight Saving Time by beginning it the first week in April and ending the first Sunday in November. According to the Congressional Research Service (CRS), sunrise occurred on April 7, 1985 in Augusta, Maine at 5:10 a.m. and in Frankfurt, Kentucky at 6:16 a.m.

Adding an hour for Daylight Saving Time, the effect of S. 1433 would be to have sunrise occur at 6:10 a.m. in Augusta and at 7:16 a.m. in Frankfurt on the first Sunday in April.

According to CRS again, sunrise on October 31, 1985—the day of the hearing—occurred at 6:15 a.m. in Augusta, Maine and at 7:04 a.m. in Frankfurt, Kentucky. By extending Daylight Saving Time through the first Sunday in November, sunrise would have been at 7:15 a.m. and 8:04 a.m. respectively for the two cities on that date.

I thank you for the opportunity to provide this additional information, as requested during the hearing.

Sincerely,

GEORGE J. MITCHELL,
*U.S. Senator.*

Senator MITCHELL. I have no reason to doubt what you are saying. I have not checked that. You are not suggesting that sunrise would be 8:20 throughout your State, everywhere in Kentucky?

Senator FORD. I am talking about my capital city. I am divided. I have two. But on one side, the time zone line is very thin, and so the daylight time, even though it is an hour later on the other side, as far as daylight, they have to commute with Louisville. Louisville is our central area. It is our trading area. And when we have Indiana that does not go on daylight saving time, they have exempted themselves, right across the river.

You take Arizona, they have exempted themselves from any daylight saving time. And all you are doing—let me just give Mr. Conte a few. He can quote the Bible if he wants to, but it happens to still be God's time, and he can make fun of the Bible if he wants to before this committee.

Mr. CONTE. I take issue with that. I was not making fun of the Bible.

Senator FORD. Let me just say that in Cincinnati under this bill, daylight will come at 8:11 a.m., 8:12 in Detroit by their time, 8:14 in Louisville, 8:20 in west Texas, 8:27 in Boise, ID, and after 8:30 in Oregon, and 8:45 in Williamstown, ND.

So you begin to look at all of these time changes, and the kids will be in school and they will be able to look at the teacher and out the window and watch the Sun come up.

Mr. CONTE. Senator, I have here that Frankfort, KY, which is the only town I have on my list; under daylight saving time, sunrise would be at 7:36 in the morning.

Senator FORD. What date?

Mr. CONTE. March 25.

Senator FORD. March 25 it would be 7:55 by Naval Observatory?

Mr. CONTE. What is that?

Senator FORD. 7:55 under your bill.

Mr. CONTE. Under my bill?

Senator FORD. April 1 it would be 8:29?

Mr. CONTE. I have from the Department of Commerce March 25, 7:36; and April 27, 6:48.

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Senator FORD. I am not going to argue about that, but our Sun comes up there 55 minutes later than it does in your territory. And then you add another hour onto that and that makes an hour and 55 minutes, if you want to get right down to it.

Mr. CONTE. You can exempt yourself from daylight saving time if you want.

Senator FORD. Sir?

Mr. CONTE. You can exempt yourself if you want.

Senator FORD. That is true, but why get into that?

Mr. CONTE. Well, that is your prerogative. We had a vote of——

Senator FORD. Well, it was defeated the year before.

Mr. CONTE [continuing]. 240 to 157.

Senator FORD. It was defeated the year before.

Mr. CONTE. The majority speaks. Because this is a compromise bill, Senator, and we took everything into consideration in arriving at this compromise. As I said earlier, my original bill was for 2 months and I compromised and brought it down to 4 weeks.

Senator FORD. You were defeated on the 2 months.

Mr. CONTE. It was never taken up.

Senator FORD. The year before.

Mr. CONTE. Well, government is the art of compromise.

Senator FORD. Well, 6 months and 6 months is a pretty good compromise in some people's minds.

Senator GORTON. Senator Rockefeller.

Senator ROCKEFELLER. I have no questions.

Senator GORTON. Congressman Conte and Senator Mitchell, we thank you.

Senator Pell, we are sorry we kept you waiting an extra period of time, but we are now delighted to hear from you on your proposal.

## STATEMENT OF HON. CLAIBORNE PELL, U.S. SENATOR FROM RHODE ISLAND

Senator PELL. Thank you very much, Mr. Chairman. And thank you for giving me this opportunity to be with you today.

As I hear the discussion going on, I am struck by the fact that in Europe, if my recollection is correct, they have experimented back and forth for more years than we have and they are on daylight saving on a year-round basis. They have children who have to go to school, they have workers who have to go to plants.

They have come to the conclusion that daylight saving is better on a permanent basis. I personally would like to do that in this country. Our bill is a compromise one in that sense in that it does not go as far, because, as you know, the bill that Senator Cranston and I introduced extends daylight saving time simply to an 8-month period.

And I thank you for the initiative that you have taken in this whole matter to resolve this problem and take it up to come out with the best possible solution. As you know, the Cranston-Pell bill would extend daylight saving by 2 months, from the first Sunday in March to the last Sunday in October, and there are many important reasons for extending this period of daylight saving time.

During the energy emergency of the early seventies, I introduced legislation to extend daylight saving time on a year-round basis as

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one important way to help ease the energy crunch, and I was pleased at that time that the legislation to extend daylight saving was adopted on an experimental basis in 1973 for a 2-year period simply in response to the energy emergency.

While the immediate concerns of the energy crisis have abated, the importance of emphasizing a continuation of energy conservation by all Americans has not diminished. I think the statistics here are pretty telling. One of the most immediate benefits of daylight saving time extension would be an immediate energy savings associated with the reduced consumption of electricity.

Reports by the DOT, the Department of Transportation, following the 2-year experiment suggest that an extension of daylight saving time would reduce the demand for electricity between 1 and 2 percent nationally. Now, that sounds like very little, but when you translate that into barrels of oil it is a great deal, and into dollars it is a great deal.

This reduction in demand actually would mean an energy savings of approximately 100,000 barrels of oil equivalent per day during that 2-month extension. In other words, it would be 60 times 100,000 barrels of oil. Such energy savings are significant and remind us of our continuing need to conserve energy and to reduce the Nation's dependence upon imported oil.

The benefits of an expanded daylight saving time extend beyond the important energy conservation area, though. There would be an immediate, noticeable effect on the quality of life, I believe, for all Americans. Those direct benefits include reductions in most categories of crime, reductions in traffic accidents, reductions in fatalities.

In this regard, and in response to the very vital concern about schoolchildren waiting for schoolbuses in the early morning hours, actual studies by DOT and the National Bureau of Standards have indicated that during the 2-year experiment in the mid-seventies there were no school-aged fatality increases during the months of March and April of 1974.

The National Safety Council and the Department of Transportation also reported that under extended daylight saving time in March and April, school-age children were not subjected to greater involvement in accidents than the general population in any period of the day.

Another key benefit from the 2 additional months of daylight would be a nationwide reduction in most categories of crime. Statistics indicate that robbery, muggings, and other forms of violent crime are most frequently committed during the early evening hours. With the extra hour of daylight at a time when most of the work force would be en route home, these individuals would be less threatened returning to their families.

Finally, I believe it significant to note the wide public support for extending daylight saving time beyond the current 6-month period. In polls conducted during the experimental period 10 years ago, a majority of the public favored expanded daylight saving time by a ratio of 2 to 1. More recent polls conducted by the Roper organization in 1976 and 1980 reaffirmed this broad public support for an extended period of daylight saving time.

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I believe it is clear that the benefits of extended daylight saving time for the 2-month period outweigh the continuation of the present 6-month period. Legislation that you and I propose would impose no burden, additional burden for the American taxpayers and require no additional involvement by the Federal Government.

Futhermore, this legislation seeks to protect those States who oppose any expanded daylight saving time by continuing the authority for any State to exempt itself from the provisions of this bill. In my view, an extension of daylight saving time would be beneficial to all Americans due to significant reductions, as I said, in crime, traffic accidents, and energy consumption.

I do hope you and your colleagues on the subcommittee will favorably report legislation to extend daylight saving time during this session of Congress, and that we may catch up with our European cousins who have learned this good lesson some years ago.

Thank you.

Senator GORTON. Thank you, Senator Pell.

Senator Ford.

Senator FORD. Senator Pell, would you not think it is a little bit ironic that only those who live on one coast or the other are here testifying for this piece of legislation today?

Senator PELL. It is a very real fact of life, and I think if my recollection is correct, a large percentage of our country's population lives within 100 miles of the coastline. I think it is either one-third or one-half.

Senator FORD. Well, 500 miles of Louisville, KY, you get 75 percent of all the population.

Senator PELL. That would be correct. But I think that, unfortunately or fortunately, this is a country where majority wishes and wills we hope prevail.

Senator FORD. Well, I understand that very well. But the majority at times are not really attuned to some of the problems.

Now, you have b in the farming community for some years of your life and I am sure you understand that the Sun plays a total part in what you can do on that farm. And if your hours are such that the dew is still on the hay and you cannot bale it, that is time that you cannot get to the field to exercise your agricultural duties. And yet, when you have a breakdown of a combine or a tractor or something on daylight saving time, when you have several more hours to work by Sun, the companies in town that do your repair work are already closed and gone home.

So it does jeopardize the ability of the farming community considerably. Would you agree or not agree with that?

Senator PELL. I absolutely agree, but I would also make the point that the number of farmers in the United States I think is less than 2 percent of our population.

Senator FORD. You know, that is the problem with this place up here. They forget about the minority of people out there that are producing your food and fiber, enough for each individual, and to ship that overseas; and they have to work under adverse circumstances based upon what we do to them here.

We have a little problem, you know. I am sure you heard at night on TV, the public service announcements: "It is 11 o'clock; do

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you know where your children are? In Kentucky, we would say they are out back watching the Sun go down.

So the western edge of all the time zones are in trouble. The Sun arrives in Louisville, KY, 55 minutes later than it does in your town, your hometown. Under this bill, it would be 1 hour and 55 minutes. The children under these circumstances would have been in school approximately an hour before the Sun comes up under these extended times.

So there becomes the urban problem here as well as the rural problem. And I am not sure that we are doing the right thing. As I said earlier—you were not here. I said earlier we are more interested in profit motive under these circumstances than we are the children, and I am a little bit concerned that we have taken that tack.

We hear so much about missing children. We talk about rehabilitation. I know your great interest in education for our children and all you have done through your whole life as it relates to helping children. Yet we find in this piece of legislation we have forgotten them.

Now, I do not know. You live in Georgetown, I know, so you do not get to go by many children standing on the side of the road waiting for the bus. Now, last week it rained 4 of the 5 working days, and the children were out there in the darkness in the rain. This week they go to school in the daylight and they come home in daylight, and they are standing on the side of the road and it is much easier for you and I who drive along that road to see them.

Senator PELL. I think you are absolutely correct, and it is so simple in an area like yours.

Senator FORD. I am talking about out in Maryland.

Senator PELL. Well, let us talk about Maryland. But it is so easy just to change the opening hours of the schools, to move them an hour ahead.

Senator FORD. The children go to school an hour after the parents go to work.

Senator PELL. If this is truly inconvenient, change the opening hours of the factories. That is not the end of the world.

Senator FORD. Mr. Chairman, I would yield on that suggestion.

Senator GORE. Senator Rockefeller.

Senator ROCKEFELLER. I do not have any questions.

Senator GORTON. Senator Gore, do you have an opening statement?

Senator GORE. No, I do not.

Senator GORTON. Questions?

Senator GORE. No questions. Thank you.

Senator GORTON. Senator Pell, thank you very much.

We will now hear from Mr. Eisner and the other representatives of the Department of Transportation.

Mr. Eisner, we welcome you here and you may proceed.

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**STATEMENT OF NEIL R. EISNER, ASSISTANT GENERAL COUNSEL FOR REGULATION AND ENFORCEMENT, DEPARTMENT OF TRANSPORTATION, ACCOMPANIED BY ERIC BESHERS, ACTING DIRECTOR, OFFICE OF ECONOMICS; AND ROBERT I. ROSS, GENERAL COUNSELS OFFICE**

Mr. EISNER. Thank you, Mr. Chairman.

Senator GORTON. Your entire written statement will, of course, be included in the record, and we would appreciate you summarizing.

Mr. EISNER. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee. I am pleased to appear before you today to discuss the possible extension of the period during which the United States observes daylight saving time. I am accompanied on my right by Robert I. Ross, who is also an attorney in the General Counsel's Office, and on my left by Mr. Eric Beshers, Acting Director of the Office of Economics.

The General Counsel's Office has the responsibility within the Department of Transportation for interpreting the various time laws. The Department of Transportation supports the extension of daylight saving time from the existing 6-month period beginning on the last Sunday in April and ending on the last Sunday in October to a longer period of up to 8 months, beginning in March and ending shortly after Halloween.

During 1974 and 1975 following the onset of the Nation's first energy shortage, the United States experimented with longer periods of daylight saving time observance. During that time the Department of Transportation undertook a study of the impacts of these experiments, and the results of that study bear on the decision as to whether to extend daylight saving time now.

Our studies have found that extending daylight saving time to March and April resulted in no significant costs and that public opinion polls indicated a favorable reaction to daylight saving time in March and April. Our analyses also showed that daylight saving time sunrise times in the first week of April are no later than those experienced at the end of September and daylight saving time sunrises in early March are similar to those occurring in late October under the existing 6-month system.

However, opposition to late sunrises in the early weeks of March could be expected from approximately 15 percent of the Nation's population residing in the western regions of those time zones.

In such areas as electricity usage, motor vehicle fatalities, and crime, extension of daylight saving time into March and April would have positive effects. With respect to motor vehicle traffic safety, for example, the benefits may be as high as 96 lives saved annually, 6,850 injuries avoided, and $52 million saved.

The Department also found that there was no increase in school aged child fatalities associated with a daylight saving time extension to March or April. And finally, the March to October daylight saving time period would more evenly balance long daylight days on either side of the longest day of the year.

In summary, the Department supports the extension of the daylight saving time period beginning on the first Sunday in April and ending on the first Sunday in November. These dates would pre-

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serve most of daylight saving time benefits and minimize the problems of late daylight saving time sunrises.

This change would satisfy the general public preference for an extended period of daylight saving time. Extending the daylight saving time period to the first Sunday in March would be acceptable to the Department. However, a decision to extend the system into early March will, of course, involve tradeoffs to weigh potential reductions in fatalities and crimes and other national benefits against the detriments to those who will experience late sunrise problems in March.

We witnessed colloquies in the House hearing last April on concerns of Midwestern communities about late sunrises in March. We are sensitive to these concerns and we believe S. 1433 appears to provide the best balance for allaying these concerns while still allowing for an extended period of daylight saving time.

Mr. Chairman, this completes my statement. My colleagues and I would be happy to try to answer any questions that you might have.

Senator GORTON. These questions will be for any of the three of you, whoever feels it most appropriate to answer. When we did extend daylight saving time in 1974 and 1975, when we gave ourselves a test of this, what were the effects on energy consumption, traffic safety and crime?

Mr. EISNER. Mr. Chairman, I can give you some general numbers on that, and then my colleagues, maybe perhaps, can give you more details if you would like it.

On electricity, savings of 1 percent were experienced in March and April. This was equivalent to approximately 100,000 barrels of oil per day or about 6 million barrels over 2 months.

With respect to motor vehicle fatalities, we found that there was a 0.7-percent reduction in traffic fatalities due to daylight saving time in March and April 1974. And applying those numbers to 1983 nationwide fatality figures would result in approximate savings of 45 lives, 3,200 injuries, and $24 million in economic costs.

However, our analysts believe that these estimates are conservative and that there would be a real reduction more like 1.5 percent to 2 percent in traffic fatalities. Perhaps Mr. Beshers would like to elaborate on that.

Mr. BESHERS. I do not really have a great—there is not a great deal I can add without going into an excessive technical detail. But it is true that we feel the 0.7-percent reduction figure is absolutely reliable, and we think we have good reason to believe that the real decrease would be greater than that.

But we would not want to completely hang our hats on that.

Senator GORTON. What about school-age traffic fatalities?

Mr. EISNER. For the January through April 1974 period, we found that school-aged children were not subject to greater involvement in fatal accidents than the general population at any period of the day.

We also found that fatalities, in the 1979 to 1981 study, that fatalities in the morning hours declined following the time change to daylight saving time in April 1979 and 1980, but increased in 1981. Overall, the figures for the 3 years show a net decline in school-aged child morning fatalities.

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We do not have the data to judge whether daylight saving time would produce sufficient savings in Halloween fatalities to offset the potential for a small increase in morning deaths.

Senator GORTON. We have a map in front of us here which shows the three sets of boundaries between the four time zones in the lower 48 States. How can they be changed if the people or States wish them to be changed?

Mr. EISNER. Mr. Ross, would you like to go into that?

Mr. Ross. Senator Gorton, there are two ways that an area of the United States can move from one time zone to another. Of course, the Congress can enact a public law, and there are currently two time zone boundaries in the United States that were set by the Congress by public law, the boundary between Mountain and Pacific in the State of Idaho and the boundary between Central and Mountain as it runs along the western boundaries of Oklahoma and Texas.

Those lines have not been affected by the Congress in 63 years. Since that time, by first order of the Interstate Commerce Commission and since 1967 in formal rulemaking under the Administrative Procedure Act by the Department of Transportation, agencies of the Government have held hearings, listened to people, and made determinations where the lines should be moved, mostly in fine-tunings to conform to the communities' convenience of commerce. That is the principal standard that the Congress has given us.

And since 1918 there have been dozens and dozens of those changes. 1918 is when standard time took effect.

Senator GORTON. Any in the last 10 years?

Mr. Ross. Yes. We just the other day declined to make a change in Indiana. We did make a change in Indiana in 1977. We made a change in Indiana in 1973. We made a change in the gulf coast of Florida in 1970. We made a change, a large change in the State of Alaska in 1983.

Senator GORTON. What is the effect on sunrise and sunset times when boundaries are moved in either direction?

Mr. Ross. The movement westward of a time zone boundary brings more areas of the United States into the more easterly time, producing a later sunrise and later sunset. The movement of the line eastward has just the reverse effect.

We did an analysis preparatory to this hearing and determined that since 1918, when the Federal Government first got involved in standardizing time, of all the dozens of moves made by the ICC and made by DOT, with the exception of three, all have been to move a line westward, to bring more areas onto the time of the East, meaning later sunrise, later sunset.

Senator GORTON. Let me go over that again. You are saying that in a period of close to 70 years the almost inevitable progression has been to move the lines westward rather than eastward?

Mr. Ross. That is correct. There was a small change in North Dakota in 1968, a small change in Michigan in 1973, and a small change in west Texas, the counties of El Paso and Hudspeth, which are very close commercially to the State of New Mexico, into the mountain zone.

Those are the only eastward movements of time zones that we have had in the history of time zones.

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Senator GORTON. Why?

Mr. Ross. The commercial dominance of the East for many areas of the near Midwest, the commercial dominance of the areas around Chicago for areas of the farther Midwest. The convenience of commerce is the main standard that the Congress has given us, and we enforce that rigorously and define it broadly.

The only time that we have had any kind of question of a large-scale nature was when the congressional experiment with extended daylight saving time expired in 1975. We turned to the Governors of all the 25 States that were then touched or split by a time zone line and we raised the question: You have been in a time zone for commercial reasons, we have engrafted this large increase in daylight saving time for energy reasons; would you like a change?

And no, no Governor but one suggested a change in any of the time zones because of the lateness of sunrise or sunset occasioned by the extension of daylight saving time. That one Governor had a suggestion that the entire continental United States be divided into but two time zones, which we do not feel has much merit to it.

Senator GORTON. Has any State ever asked to have a boundary moved eastward because they believed that sunrises and sunsets were later than they wished?

Mr. Ross. That is the rationale that underlay the move of the North Dakota counties in 1968 and the Michigan counties in 1973. Michigan specifically had been exempt from daylight saving time by local State law from the years 1969 through 1972.

When at the general election in 1972 they decided to go back on it beginning in 1973, the Upper Peninsula, the portion of the State above the State of Wisconsin, claimed that that would make a quite late sunset for them. They were not concerned about sunrises; they were concerned about sunsets. And we were able to move four of those counties along the Wisconsin River, which is the State boundary up there, to Wisconsin time, central time, to relieve the impact of, again not late sunrises—they were concerned about late sunsets.

Senator GORTON. Do you have any petitions presently before the Department which would move time zones eastward, any time zone?

Mr. Ross. I do not believe so. There is a petition in from some communities in the panhandle section of Alaska asking us to reexamine certain aspects of the change that Secretary Dole made up there in 1983. We are looking at that at the current time.

Senator GORTON. Can States exempt themselves from going on daylight saving time at all?

Mr. Ross. Yes, Senator. That is the only way that an area of the United States can be exempt. Presently, six States—three States and three U.S. territories are exempt from daylight saving time by State law: Arizona, as Senator Goldwater mentioned. Indiana's eastern zone portion, which is 81 out of the 92 counties in that State, the areas in the northwest near Chicago and southwest around Evansville remain in central time and do go on daylight savings time.

And then areas of the United States quite close to the equator, in the Pacific, Hawaii and American Samoa and in the Atlantic, Puerto Rico and the Virgin Islands. Being that close to the equator,

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they do not get seasonal sunrise and sunset changes as we do farther north. So they have just vouched out of it.

Senator GORTON. Can a State which, like Kentucky, is divided into two time zones exempt one of those time zones from daylight saving time while leaving the other in daylight savings?

Mr. ROSS. Yes, Senator. That is the precise situation that applies in Indiana. The act of the 1969 General Assembly of Indiana stated that they wished their exemption to apply just to that portion of the State that was in the eastern, but not that part that was in the central time zone. And in 1972, at our urging, the Congress amended the Federal statute to permit just that kind of split exemption. They are the only State that does it that way.

Senator GORTON. Senator Ford.

Senator FORD. Mr. Chairman, thank you.

We have a State senator in Kentucky that said that the people were less concerned about the State budget; they were more worried about what time we were going to spend it on.

Mr. Eisner, have you received any mail against the extension of daylight saving time?

Mr. ROSS. If I may respond, Senator, we do receive mail going every which way on this issue, and we have been receiving mail by the hundreds every which way on this issue for the last 10 years.

Senator FORD. So in a 10-year period, you have a lot of confusion, people writing wanting it to go both ways. So it really is a mixed bag, is it not?

Mr. ROSS. Yes, it is. There are trends that we see.

Senator FORD. I understand the trends. It is when another commercial group gets involved and they encourage their employees to write and so forth. So I understand the trend is one way or the other.

Now, Mr. Eisner, would you agree—and I have not given you any questions, so you will not have them written under there, the answers. Would you agree that there is a tradeoff as it relates to the east coast versus the western edge of any time zone?

Mr. EISNER. Yes, I would agree that there is a tradeoff. There is a difference in sunrise from one side to the other.

Senator FORD. So you would say that, regardless of how you change the zones, or whether a State exempts itself or not and that sort of thing, those on the western edge of that time zone would lose compared to those on the eastern time zone? That would be the tradeoff, right?

Mr. EISNER. I do not know if I would use the word "lose." There would be differences in when the Sun would rise at one end compared to the other.

Senator FORD. So it would mean you would have to get up earlier and therefore you would have to turn the lights on because it was dark about an hour longer. You would have to be at a factory during the darkness, and therefore you would have to turn the lights on. That would be an additional expense to that manufacturer or office or software or high technology or whatever it might be.

It would be an additional expense to those people that would have to get up earlier, or get up in the dark and go to work. They would have to turn the lights on, would they not?

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Mr. EISNER. What we have found, Senator, is that there is no difference between the time in April and in September, and there is no different between the times in March and in October if the bill were extended back into March. So that there would be no difference in terms of the darkness they would experience in March as compared to October.

Senator FORD. Look at last week and this week, and it is October. Look at last week's darkness and this week's daylight in the morning. Would you admit that the children went to school this week in daylight and came home in daylight where last week they went to school in the darkness and came home in the light?

Mr. EISNER. We are not talking, Senator, about the difference between the week before and the week after the change.

Senator FORD. Well, that is part of it, isn't it? You want to extend it a little bit further into November.

Mr. EISNER. We are simply saying, Senator, that in March the people would not be waking up in any more light or any more dark than they would in October.

Senator FORD. They would just be in the darkness longer.

Mr. EISNER. No, no longer than they would be under daylight saving time now during the month of October.

Senator FORD. Well, if you extend it, you mean that the Sun rises at the same time tomorrow as it does today, and it sets the same time tomorrow as it does today, so there is no change in the next few weeks?

Mr. EISNER. Senator, what we are saying is that the people are currently experiencing the conditions that you are talking about being adverse in March. They are currently experiencing those conditions now under daylight saving time in the fall.

Senator FORD. Yes, but you are just going to extend the period of time in which they live under that, under this bill.

Mr. EISNER. In that sense, Senator, in that sense, Your Honor——

Senator FORD. I have never been referred to as being a legal scholar.

Senator GORTON. Well, we will keep that in the record.

Mr. EISNER. I will try to keep using it.

Senator FORD. That is not going to help you any.

Mr. EISNER. It brought a smile to your face.

Senator FORD. I always have good humor.

Mr. EISNER. Senator, what we are saying is, based upon our analysis, we think overall there are more benefits to extending it into March or into April, and I think Mr. Beshers would like to add something.

Senator FORD. Well, that is the point I want to make. Mr. Eisner, you are the point man here today. The point I want to make is that it doesn't treat everybody fair. There is a tradeoff, and you admit there is a tradeoff, and so those on the western end suffer, and they suffer longer. There has been no one here this morning to refute the time the sun comes up in Louisville or Frankfort or Cincinnati or Boise, ID, that I have laid out here this morning.

Now, as I understand it, if we pass this extension, there would be a new entitlement program. Really, you get right down to it, there

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would be a new entitlement program for the eastern end of the time zone. Would you agree with that?

Mr. EISNER. I am not sure what you mean by new entitlement program.

Senator FORD. Well, they get a break in the eastern part, and we pay more in the west. In essence, that is an entitlement program.

Mr. EISNER. We do not agree with that.

Senator FORD. You do not agree with that, so if it costs more in the western end, and less in the eastern side, they do not get the break on the coastline? You said in your opening statement there was a tradeoff.

Mr. EISNER. We said that there was a tradeoff in the sense that we felt it was better only to extend it through April rather than into March, and that that would lessen the concerns and provide more overall benefits without upsetting as many people. We recognize that time changes, whether they are time zones or daylight saving time, are going to have different effects on different people. We feel that the compromise of going only to the first Sunday in April would balance these concerns.

Senator FORD. Well, you do not balance the cost to small business. You do not balance the cost to the school system. You do not balance the cost to a major industrial complex. You do not balance the cost as it relates to those kids standing on the side of the road in darkness. Now, that is not a balance.

Mr. BESHERS. Let me speak briefly to the point of sunrise times. Under daylight saving time in April in the western fringes of the time zone——

Senator FORD. Excuse me, Mr. Beshers. Go right ahead.

Mr. BESHERS. I am sorry. I thought you had finished your sentence. I did not mean to break in.

Senator FORD. That is fine. You may proceed. The chairman has the authority here. He can cut me off any time he wants to.

Mr. BESHERS. Excuse me. I meant to supplement a point that Mr. Eisner had made, and I had not the slightest intention of interrupting you, Senator.

Senator FORD. I am not bothering you. You are the fellow that is worried about it. Go ahead and give me your facts.

Mr. BESHERS. Very well. Back to sunrise times. Under daylight savings time, in the western fringes of time zones, in the first week in April, which is where the time change would come under S. 1433, the average sunrise would be 7:15.

Senator FORD. That is where?

Mr. BESHERS. In the western fringes of the time zones.

Senator FORD. What would be sunset?

Mr. BESHERS. Sunset. I do not know. I do not have that number with me.

Senator FORD. Well, everybody is worried about the sun coming up. It goes down, does it not?

Mr. BESHERS. It certainly does.

Senator FORD. Well, when is sunset on March 1?

Mr. BESHERS. The figures I have with me are for April, and I do not have a sunset number with me. I have a sunrise number.

Senator FORD. Well, I happen to have them up here. If you want some information, I would be glad to give it to you after this hear-

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ing is over. But everybody is worried about sunrise, and the Sun does go down, you know, and that is a problem. That is what you are trying to do. You are trying to increase the daylight hours in the evening. Is that not correct?

Mr. BESHERS. Correct.

Senator FORD. All right. Now, give me the rest of your information.

Mr. BESHERS. That was all, the whole point I wanted to make.

Senator FORD. That is the average of 7:15?

Mr. BESHERS. Yes, in the western fringes of the time zones in the first week in April.

Senator FORD. In the first week in April. How about local at 7:29, plus 1 hour you are going to put on us makes it 8:29?

Mr. BESHERS. I think it is 7:29. I do not have the full list of numbers with me. I would be glad to send them for the record, but I do not believe that there would be a sunrise after 8 o'clock anywhere.

Senator FORD. I have the man's name that gave it to me from the Naval Observatory, and I think I understand what he said. I may be mistaken. But if the western fringe is 7:29, what is the east coast? When does the Sun come up on the east coast? When is it daylight on the east coast?

Mr. BESHERS. It would be clearly earlier than that.

Senator FORD. I understand, but what is that? You don't have that?

Mr. BESHERS. No, it would be about half an hour earlier.

Senator FORD. What?

Mr. BESHERS. Half an hour earlier.

Senator FORD. Would you believe 55 minutes earlier?

Mr. BESHERS. If you go all the way over to the other edge.

Senator FORD. Well, you are going to the western edge. Why not go all the way to the eastern edge?

Mr. BESHERS. Well, if we come all the way back, then it is going to be nearly an hour.

Senator FORD. Nearly an hour.

Thank you, Mr. Chairman. I am about to get the right answers. You see, those that are for it go way out, and those that are against it come way down, so you have got to find the middle ground. You have been here today with one, and that is the average on the extreme western. You are not giving me the difference in that daylight hour on eastern standard time or eastern daylight time. It is always approximately an hour's difference in New York as it is in Louisville. Is that not correct? Approximately an hour?

Mr. BESHERS. Close to it.

Senator FORD. Fifty-five minutes, or somewhere in that neighborhood.

Senator GORTON. It goes without saying that there is an hour's difference between the eastern and western edge of the time zone.

Senator FORD. But then when you put it on daylight time, that really extends this hour to almost 2 hours.

Senator GORTON. No, because everybody goes on daylight saving time.

Senator FORD. But the Sun, you are talking about people, I am talking about daylight and darkness. This makes it 1½ hours later.

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It does. It is 55 minutes later under normal circumstances. You extend it 1 hour, and that makes it 1 hour and 55 minutes later.

Senator GORTON. No, because you are extending it for everyone, Senator.

Senator FORD. I understand that, but you are talking about what people go to work on and come home on. I am talking about when the Sun comes up and the Sun goes down. That is all I am trying to get to, and we come in here with figures that just benefit the proposal. You do not have the benefit of the figures on the other side from those experts that are here to testify.

Now, let me ask you one more question, and then I will quit, Mr. Chairman, but I do not want to. I am liking what I am doing. How did you factor in the 55-mile-an-hour speed limit as it related to your figures in 1974 and 1975?

Mr. BESHERS. The best answer I can give you at the moment, and I can submit a full technical explanation for the record, we did use statistical techniques whose purpose was to try to eliminate every effect except the daylight saving time effect. We made a conscious effort to do that, and we think we were reasonably successful.

Senator FORD. You say you included the 55-mile-an-hour speed limit from when you looked at the deaths in 1973 and then you looked at the 55-mile-an-hour speed limit going in, you factored that into the school?

Mr. BESHERS. We tried to get rid of every factor that could be causing a change except daylight saving time, so we could isolate that effect.

Senator FORD. There is a Mr. Walsh. Does that ring any kind of bells?

Mr. BESHERS. Yes.

Senator FORD. He stated in the House testimony we did not take these into account, referring to the 55-mile-an-hour speed limit.

Mr. BESHERS. I cannot speak for him at the moment.

Senator FORD. I have got it here if you want to read it.

Mr. BESHERS. I do not doubt that whatever it says there it says. But I would have to look at that in the context of what he was talking about. I do know that when we did the analysis on the traffic accidents, we did make considerable effort to eliminate every effect except daylight saving time.

Senator FORD. Well, you say you have received a lot of mail which is a mixed bag for and against extending daylight saving time. You admitted that there is a tradeoff of those in the western end of the fringe who would suffer, and you did not quite understand the new entitlement system, which I say would be for the east. And you are not sure how you factored in the 55-mile-an-hour speed limit as it related to the reduction in the deaths on streets and highways, particularly highways.

Mr. BESHERS. We do know how we did it. We would be happy to submit the complete technical explanation for the record. I do not think it would serve a useful purpose to go into that in tremendous detail here.

Senator FORD. Well, the only thing I am interested in is that I am not sure how much the 55-mile-an-hour speed limit was factored into the saving of lives other than giving credit to the daylight saving time. Then you have to factor that out and see how

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large a factor that was in the reduction of the lives, and all of us know that 55-mile-an-hour speed limit reduced injury and deaths on the highways.

Thank you, Mr. Chairman.

Senator GORTON. Thank you, Mr. Eisner, Mr. Ross, Mr. Beshers. Thank you very much.

Mr. EISNER. Thank you, Mr. Chairman.

[The statement follows:]

STATEMENT OF NEIL R. EISNER, ASSISTANT GENERAL COUNSEL FOR REGULATION AND ENFORCEMENT, DEPARTMENT OF TRANSPORTATION

Mr. Chairman and Members of the Committee: I am pleased to appear before you today to discuss the possible extension of the period during which the United States observes daylight saving time. I am accompanied by Robert I. Ross of the General Counsel's Office, which has the responsibility within the Department for interpreting the various time laws, and by Eric W. Beshers, Acting Director of the Office of Economics.

Before discussing the findings of that study, I would like to summarize briefly the history of daylight saving time in this country and the issues involved in future decision-making on this subject.

During World Wars I and II, daylight saving time was observed nationwide. In 1966, the Congress, through the Uniform Time Act, provided for the first nationwide peacetime observance of daylight saving time, for six months of the year (from the last Sunday in April through the last Sunday in October). This arrangement remained in effect until 1973 when the Congress enacted the Emergency Daylight Saving Time Energy Conservation Act which established for a two-year trial period year-around observance of daylight saving time. After evaluating the first four months of the experiment (from January to April 1974), the Department reported to the Congress that the public appeared to oppose daylight saving time in January and February (and November and December), while favoring it in March and April. As a result, the Department recommended, and the Congress subsequently adopted, an eight-month system of daylight saving time (March through October) for 1975.

In an analysis of the second year of the experiment with daylight saving time, we found that a majority of the public responded favorably to the inclusion of March and April in the DST cycle. We also concluded that modest benefits might be realized in three significant areas—in energy consumption, traffic fatalities, and violent crime—by a permanent shift from the six-month DST period to an eight-month period.

The Department's recommendation to Congress was to extend the eight-month daylight saving time experiment for two more years to permit the collection of additional data and to undertake more thorough analysis. The Congress did not act on the Department's recommendation, and the experiment with an eight-month period of observance was abandoned after one year.

A primary purpose in extending the daylight saving time period during 1974–75 was to involve the American people actively in an energy conservation effort during the nation's first peacetime fuel shortage. Our study found that a two-month extension of daylight saving time to March and April might save one percent of electrical energy, or the equivalent of 100,000 barrels of oil daily, which was considered significant at a time when our nation was searching desperately for ways to conserve fuel. Since then, of course, the country's energy supply situation has undergone significant adjustments, due in large part to the decontrol of fuel prices.

Fuel prices are now, and should continue to be, the main factor in controlling fuel use. However, ancillary conservation measures, such as daylight saving time, can provide additional opportunities for conserving fuel by, for example, reducing the need to illuminate homes and businesses by up to an hour per day. Still, the energy savings to be realized from extending daylight saving time would be small compared to those resulting from price decontrol.

Nevertheless, we still believe the energy and other benefits potentially derivable from an extension of daylight saving time are important. However, the factors underlying public acceptance of daylight saving time and the trade-offs involved in preserving its maximum benefits and satisfying public preferences are best discussed within the context of our overall study findings, which I will summarize briefly.

I should emphasize that these findings are based primarily on analyses conducted at the time of the 1974–75 experiments. The Department has not engaged in any

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extensive study of daylight saving time impacts since those experiments. Let me now turn to our study's findings.

### RATIONALE FOR DAYLIGHT SAVING TIME SYSTEM SELECTION

The traditional six-month daylight saving time system (May through October) is based on temperature, rather than on hours of daylight. Thus, it provides an equal number of days on either side of the warmest days of the year which tend to occur toward the end of July.

A March to October daylight saving time period would make more sense than the present system, because it would provide an equal number of long daylight days on either side of the longest day of the year. One consideration, therefore, is the desirability of correcting the present imbalance by moving to new transition dates based on the maximum daylight conditions which exist from March until October.

### PUBLIC PREFERENCE FOR DAYLIGHT SAVING TIME

A second consideration involved in the selection of transition dates is the general public preference for a March to October period of daylight saving time, weighed against some strong minority opposition to extending the length or changing the dates of the DST period.

Public opinion polls conducted during the 1975 eight-month DST experiment indicated that the public favored daylight saving time from March through October, by a ratio of nearly two to one.

The Roper Organization has conducted four polls on daylight saving time preference since the 1975 experiment. Roper polls conducted in March 1976, March 1980, and September 1981 indicated that approximately one-half of the public favored an extended period of daylight saving time from the beginning of March to the end of October, while approximately one-third of the public preferred a continuation of the present six-month period. It appears that, rather consistently over this period, a majority has favored daylight saving time for the months of March and April. Nevertheless, opposition to daylight saving time continues to be registered rather consistently as well. During the 1975 experiment, 28 percent of respondents opposed daylight saving time in March and April. In the Roper polls, about 15 percent of the public favored no daylight saving time at all.

Results from the available public opinion polls indicated that the largest percentage of respondents opposed to daylight saving time live in areas that experience late sunrise problems under daylight saving time. This is because of their location relative to the standard meridians which define the time zones. These people tend to live near the western boundaries of the Eastern, Central and Mountain Time Zones, where sunrise times are always 30 to 60 minutes later than at the time zone centers. These people will experience later sunrises than the majority of the population under any time system and, thus, will often perceive daylight saving time as a problem. The intensity of this perception will vary depending on the actual clock times of these sunrises, which are controlled by the specific transition dates involved.

The two bills before the Committee, S. 240 and S. 1433, would extend daylight saving time beyond its current six-month duration. S. 240 would change the spring transition to daylight saving time from the last Sunday in April to the first Sunday in March. The other bill, S. 1433, would change the spring DST transition to the first Sunday in April. This bill also would extend the fall transition date from the last Sunday in October to the first Sunday in November in order to include Halloween in the daylight saving time period.

Our study findings indicate that a transition to daylight saving time on the first Sunday in March would provide all areas of the nation with sunrise times which are no later than those occurring in late October under the existing six-month DST system. The actual clock times of sunrises during the first week in March would average approximately 7:30 a.m. Civil twilight, or dawn, would add thirty minutes of light before sunrise, sufficient to conduct outdoor activities by 7:00 a.m. This should be acceptable to a majority of the public who have indicated in public opinion polls that they awaken at or after 6:45 a.m.

The main impact of a first Sunday in March transition date would be felt by an estimated 15 percent of the U.S. population residing in the western regions of time zones. These areas would experience sunrises averaging approximately 8:00 a.m., with dawn at 7:30 a.m., or approximately 30 minutes later than the rest of the nation. The occurrence of these late sunrises at the very beginning of the daylight saving time period would present a somewhat abrupt change in morning light conditions, as sunrises would have gradually grown earlier from January through February, only to become suddenly later again with the advent of daylight saving time in

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March. Discomfort over later sunrises should be fairly short-lived, however, as morning light conditions improve more rapidly in March than in any other month of the year.

By the first week in April, DST sunrise times through the entire nation would average approximately 6:45 a.m., with dawn occurring at 6:15 a.m. Areas in the western fringes of time zones would experience DST sunrises averaging 7:15 a.m., with dawn at 6:45 a.m. These sunrise times are no later than those experienced in late September u[n]der the existing six-month DST system. Since September has been accepted for years as a daylight saving time month, there is no reason to expect that similar DST sunrise times at the beginning of April would cause problems.

Moving the fall DST transition date to the first Sunday in November to include Halloween coverage would result in sunrise and sunset times throughout the nation which are five to ten minutes later than the latest sunrises and sunsets experienced under the present DST system in late October. The actual clock times of DST sunrises in the first week of November would average 7:43 a.m. with dawn at 7:13 a.m. The major advantage of extending daylight saving time into November would be the additional hour of evening light provided on Halloween during the commuter rush hour when most traffic fatalities occur. DST sunset times across the nation at the beginning of November would average approximately 6:15 p.m., with civil twilight or dusk providing sufficient light for outdoor activities until about 6:45 p.m. Areas in the western fringes of time zones would experience DST sunrises and sunsets in early November approximately 30 minutes later than the rest of the nation. The sunrise times, while only slightly later than those occurring in late October under the existing DST system, could be perceived by some as a problem. Conversely, the addition light gained in the evening could be viewed as a benefit potentially offsetting the late sunrise problem.

Let me now briefly summarize the technical findings regarding daylight saving time benefits.

### ENERGY SAVINGS

As I have mentioned, we concluded that daylight saving time holds the potential for electricity savings of 1 percent in March and April, equivalent to roughly 100,000 barrels of oil per day, or about 6 million barrels over the two months. These savings were calculated from Federal Power Commission data for the daylight saving time transitions in the 1974–75 experiment. Due to this limited data sample, the findings have to be judged "probable," rather than conclusive. Theoretical studies of home heating fuel consumption identified small savings due to daylight saving time. No potential increases in travel demand and gasoline use due to daylight saving time were identified. Overall, the lack of actual data precluded a reliable estimation of total energy savings due to daylight saving time.

### MOTOR VEHICLE FATALITIES, TOTAL POPULATION

With respect to motor vehicle safety, we were able to identify a 0.7 percent reduction in traffic fatalities due to daylight saving time in March and April 1974 compared to the comparable months in 1973 when we were under standard time. Applying this percentage reduction to 1983 nationwide fatality figures, we estimated that DST in March and April would save approximately 45 lives, 3200 injuries, and $24 million in economic costs. I should add that our analysts believe that these estimates are conservative and that their calculations understated the real reduction due to daylight saving time, which they judged to be on the order of 1.5 percent to 2 percent of traffic fatalities.

### SCHOOL-AGE CHILD SAFETY

Following the experiment with year-round daylight saving time in 1974, the Department recommended that only March and April be included in the 1975 experiment because of the public's concern over the safety of children traveling to school on dark mornings. Results of public opinion polls conducted in 1974 showed that 38 percent of respondents expressed concern for school-age children's safety during year-round daylight saving time. During the 1975 March-April experiment, only 7 percent of respondents said they were concerned with the issue.

The final report of our study presented the results of both the Department of Transportation and the National Safety Council studies which showed that for the January-April 1974 period (i.e., under daylight saving time), school-age children were not subject to greater involvement in fatal accidents than the general population at any period of the day. A 1976 study of school-age fatalities performed by the

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National Bureau of Standards (NBS) used the same data base as the Department of Transportation, but analyzed only a subset of child fatalities in isolation from the general population and employed different statistical techniques. The National Bureau of Standards concluded that morning school-age child pedestrian and pedalcyclist fatalities increased in January and February 1974 when daylight saving time was being observed, compared to the same period in 1973 when daylight saving time was not observed. No comparable increase in morning school age fatalities, however, was found for the March and April period. While the January-February fatality increase was statistically significant, the National Bureau of Standards judged it impossible to attribute it to daylight saving time rather than to some other factor or combination of factors. I should note that our analysts did not agree with the methods and assumptions used by the Bureau to estimate these impacts. However, because of public concern for the safety of school-age children, the Department subsequently took the position that daylight saving time in January or February would not be desirable.

Results of a more recent DOT analysis comparing school-age child pedestrian and pedalcyclist fatalities before and after spring DST transitions in1979–81 indicate that fatalities in the morning hours declined following the time change to DST in April 1979 and 1980, but increased in 1981. Overall, the figures for the three years show a net decline in school-age child morning fatalities following the change to daylight saving time. For the fall transition period, we do not have the data to judge whether daylight saving time would produce sufficient savings in Halloween fatalities to offset the potential for a small increase in morning deaths. In any event, school-age child fatalities during these limited times and for this limited category of pedestrians and pedalcyclists represent such small numbers that random occurrences in any month or year can significantly affect the fatality trends. Of course, many other influences such as weather also play a role in affecting the rate. However, our findings do indicate that there is no evidence in the data that daylight saving time increases school-age child deaths in the morning during the spring DST transition.

### CRIME

With respect to crime, a study of daylight saving time impacts showed reductions in violent crimes of 10 to 13 percent in Washington, D.C. during DST months throughout a three-year period from 1973 to 1975. Due to time contraints, only data for Washington, D.C. were obtained for analysis during our study. We recognize that these are very limited results, and thus it is impossible to conclude with any confidence that comparable benefits would be found nationwide.

### CHANGES IN SCHOOL HOURS

With respect to school schedules, the Department of Health, Education and Welfare advised that only a small number of schools in two Midwest and Western States adjusted school hours during March and April 1975 as a consequence of daylight saving time.

### OTHER EFFECTS

There were no measurable effects of daylight saving time reported by Federal agencies in the areas of agriculture, labor, and park and recreational activities. Neither were there any reported effects on domestic or international commerce, with the exception of the construction industry, which was opposed to year-round daylight saving time, favoring instead an April through October period.

### INTERNATIONAL

The several countries of Europe have been seeking for many years uniform dates and times for transitioning from standard time to "summertime" (i.e., daylight saving time). The member countries of the Economic Commission for Europe have recommended that the beginning of summertime take place at 1:00 a.m. Greenwich Mean Time and that it end at 2:00 a.m. Greenwich Mean Time on the last Sunday of March and the last Sunday of September, respectively. Under this recommendation, these transition times and dates would be fixed for a five-year period during which no changes would be made.

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ADMINISTRATIVE EFFECTS

During the 1974-75 daylight saving time experiment, the Governors of the 25 States bordering on or divided by time zone boundaries were asked whether these boundaries should be changed. Our concern was to determine whether extending DST for energy reasons conflicted with the arrangement of time zones, which are determined for commercial reasons. It is significant that even though many of these States experience the latest daylight saving time sunrises, the Governors, with one exception, favored retaining the present time zone boundaries. The exception advocated having only two continental time zones. Based on this survey, the Department did not recommend any change in the existing time zone boundaries in its final report to Congress on DST impacts.

SUMMARY OF FINDINGS

Our principal findings which bear on the extension of daylight saving time into March, April and November are the following:

(1) The Department's studies of the various impact areas found no significant costs from extending daylight saving time to March and April.

(2) Public opinion polls from 1974 to 1981 indicate a favorable public reaction to the observance of daylight saving time in March and April. Also, the public has consistently recorded its approval of daylight saving time in September and October.

(3) Daylight saving time sunrises in the first week of March across the nation would be no later than those experienced in late October under the present six-month system. However, the occurrence of these later sunrises in the western areas of time zones at the very beginning of the daylight saving time period would cause a somewhat abrupt change in morning light conditions, which could be perceived as a problem. Daylight saving time sunrises during the first week of April would be no later than those currently experienced with DST in September. Since there are no apparent problems with daylight saving time in September, there should be no problems with similar sunrise times in April. Sunrises and sunsets in the first week of November would be five to ten minutes later than the latest sunrises experienced under the present system.

(4) In the key impact areas of electricity usage, motor vehicle fatalities and crime, our studies found a consistent pattern of modest, positive effects from daylight saving time. Further, we found no evidence of any effect of DST on school-age child morning fatalities in March or April. Adding an additional week of daylight saving time in order to include Halloween might result in a reduction in school-age child traffic fatalities in the evening. However, it also might increase morning traffic fatalities, and it is difficult to predict how this would net out.

(5) A March to October daylight saving time period appears more logical than the present system for "saving" daylight because it would provide an equal number of days with long daylight hours on either side of the longest day of the year.

RECOMMENDATIONS

Mr. Chairman, the Department of Transportation supports an extension of the daylight saving time period beginning on the first Sunday in April and ending on the first Sunday in November. These dates would preserve most of daylight saving time benefits and minimize the problems of late DST sunrises. This change would satisfy the general public preference for an extended period of daylight saving time. Extending the daylight saving time period to the first Sunday in March would be acceptable to the Department. However, a decision to extend the system into early March will of course involve tradeoffs to weigh potential reductions in fatalities and crimes, and other national benefits, against the detriments to those who will experience late sunrise problems in March. We witnessed colloquies in the House hearing last April on concerns of Midwestern communities about late sunrises in March. We are sensitive to these concerns, and we believe S. 1433 appears to provide the best balance for allaying these concerns, while still allowing for an extended period of daylight saving time.

Mr. Chairman, this completes my prepared statement. My colleagues and I would be happy to try to answer any questions you might have.

Senator GORTON. I am now going to in the interest of time call the next three witnesses up together, Mr. Benfield, Ms. Richman, and Ms. Berman.

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## STATEMENT OF JAMES BENFIELD, EXECUTIVE DIRECTOR, DAYLIGHT SAVING TIME COALITION

Mr. BENFIELD. Thank you, Mr. Chairman. I am Jim Benfield, a partner with the firm of Bracy Williams & Co., and executive director of the Daylight Saving Time Coalition. There are over 8,300 companies represented by the membership of the coalition. Their annual retail sales exceed $135 billion. The coalition believes that additional daylight saving time would save energy and would be an important reminder that we should be conscious of our need to conserve energy.

In addition, the potential benefits of more daylight saving time would generate significant economic benefits to many diverse parts of the economy. Benefits could approach $4 billion for members of the coalition alone. Last January, Nation's Business asked its readers if they favored more DST. The results revealed that over two-thirds of those responding supported extension. Unlike most proposals being considered by Congress, there appears to be little economic down side to extending DST. We are not asking for one dollar from the U.S. Treasury, nor are we asking for tax credits, tax deductions, or tax deferrals or trade legislation.

At a time when the administration and Congress are desperately trying to find ways to help the economy, we feel solutions as simple as this one should be adopted immediately. Members of the coalition who are here today will be specific about benefits to their industries. Last week the House of Representatives passed a bill identical to S. 1433. The vote of 240 to 157 was a dramatic reversal from the 199 to 211 defeat just 2 years ago, and was the result of a carefully constructed compromise that called for a 4-week extension instead of 8.

Congressman Nielson, Coats, and Tauke, leaders of the opposition 2 years ago, felt that the major concerns of the rural areas had been properly addressed, and they voted for final passage. As you know, concern has been raised about the potential danger of dark mornings as it pertains to school-aged children.

I believe that this fear originated in January and February 1974, when the very dark mornings under DST raised parents' concern for their children's safety. The Senator from Kentucky was instrumental in educating the public about this problem, and we commend him for this valuable public service. The coalition goes on record by stating that it will never again raise the issue of more DST if this bill becomes law. Members of the coalition agree that an argument cannot be made to have DST in late fall or winter.

On the subject of traffic safety, one must consider the effect of alcohol consumption, fatigue, and heavier traffic volume on the afternoon driver. We suggest that there actually would be a savings of lives because more light would improve visibility in the afternoon.

Remember that the young citizens who are called schoolchildren in the morning are just free-spirited kids on their bicycles in the afternoon. Let me expand on this a little bit.

I think a lot of bicycles that were bought at Christmastime are coming out during spring vacation at this time of year. Sunrises in April are equivalent to those from mid-August to mid-September.

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Another way of looking at April is to compare sunrises in that month to those under standard time.

In the northern latitudes, you have 120 mornings darker than on April 4. During the debate on DST, we often hear of the problems of people who live in the far western reaches of their respective time zones which have late sunrises and sunsets. In many of these areas, this is a matter of local option.

Since the ICC established the time lines in 1919, there have been numerous movements of time lines, usually in a westerly direction. With the centers of each time zone drawn 15 degrees apart, the theoretical boundaries should be halfway between these centers. Thus many parts of the country are in the wrong time zone.

Or put another way, they are on daylight saving time year around. Specifically, there has been time line creep across portions of Ohio, Michigan, Indiana, Virginia, North Carolina, Georgia, Florida, Kentucky, Tennessee, Kansas, Nebraska, South Dakota, Arizona, and Oregon.

We suggest that if the citizens of these predominantly rural areas really prefer morning daylight, then in most cases the time line can be moved eastward by administrative action. We recognize that moving the ending date of DST to the first Sunday in November would create the darkest mornings of the year, but the tradeoff here is more evening light on Halloween, traditionally a day of heightened concern for children's safety.

One mitigating factor of these dark mornings is that the weather is still rather mild in early November, and the mornings become gradually darker. Many people who dislike daylight saving time focus on the disruption of going on and off standard time. Under this bill, we will still go on and off standard time the same number of times, that is, once in the spring and once in the fall.

For those who would like to go back the way things used to be, they should be reminded that prior to 1883 there were 54 time zones in the United States, including five in Connecticut. Until 1919, observance of standard time was still voluntary. Election day would come under DST only when November 1 falls on a Monday. This will not occur for congressional elections until the year 2004.

Thank you, Mr. Chairman, and thank you for the leadership role you have taken on this issue and for the opportunity to appear before your committee.

[The statement follows:]

STATEMENT OF JAMES C. BENFIELD

Thank you, Mr. Chairman. I am Jim Benfield, a partner with the firm of Bracy Williams & Company and the executive director of the Daylight Saving Time Coalition.

There are over 8,300 companies represented by the membership of the Coalition; their annual retail sales exceed $135 billion. [See attachment.]

The initial incentive to extend daylight saving time (DST) in 1974 came from a desire to save energy. In that year, the United States observed 10 months of DST, and 8 months in 1975.

The Coalition believes that additional daylight saving time would save energy and would be an important reminder that we should be conscious of our need to conserve energy.

In addition, the potential benefits of more daylight saving time would generate significant economic benefits to many diverse parts of the economy. Benefits could approach $4 billion for members of the Coalition, alone.

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In January, 1985, Nation's Business asked its readers if they favored more DST. The results published in March reveal that over two/thirds of those responding supported extension. The period of DST extension in the reader poll was seven weeks, three more than are called for in S. 1433.

Unlike most proposals being considered by Congress, there appears to be little economic downside to extending DST. We are not asking for one dollar from the U.S. Treasury. Nor are we asking for tax credits, tax deductions or tax deferrals. And for the business community, no additional expenditures for advertising or capital investment are required to reap the benefits of increased sales and productivity that will result.

At a time when the Administration and Congress are desperately trying to find ways to help the economy, we feel solutions as simple as this one should be adopted immediately. Some benefits of additional daylight saving time are:

More daylight evening hours to fix up homes in the spring, increasing paint, garden supplies, tools, and lumber sales.

More recreational time, which would increase sales of sporting goods, fast foods and snack, barbecue supplies, increase amusement part attendance, etc.

Less urban crime, because light deters crime, and more crime occurs during the evening than the morning.

More hours of vision for the 400,000 Americans who suffer from degenerative retina diseases, called "night blindness."

Energy savings from reduced lighting requirements.

Last week the House of Representatives passed a bill identical to S. 1433, which calls for three more weeks of DST in April and one more week in the fall. The vote of 240–157 was a dramatic reversal from the 199–211 defeat just two years ago and was the result of a carefully constructed compromise that called for a four week extension instead of eight. Congressmen Nielson, Coats and Tauke, leaders of the opposition two years ago, felt that the major concerns of the rural areas had been properly addressed, and they voted for final passage.

As you know, concern has been raised about the potential danger of dark mornings as it pertains to school children. I believe that this fear originated in January and February of 1974 when the very dark mornings under DST raised parents' concern for their children's safety. The Senator from Kentucky was instrumental in educating the public about this problem, and we commend him for this valuable public service.

The Coalition goes on record by stating that it will never again raise the issue of more DST if this bill becomes law. Members of the Coalition agree that an argument cannot be made to have DST in late fall or winter.

On the subject of traffic safety, one must consider the effect of alcohol consumption, fatigue and heavier traffic volume on the afternoon driver. We suggest that there actually would be a savings of lives because more light would improve visibility in the afternoon. Remember that young citizens who are called "school children" in the morning are just free spirited kids on their bicycles in the afternoon.

Sunrises in April are equivalent to those from mid-August to mid-September. The following data shows that sunrises in April under DST would be lighter than most sunrises under Standard Time.

44° N. Latitude (Portland, Oregon; Minneapolis, Portland Maine) Nov. 2 thru March 1 (120 mornings) darker than April 4.

40° N. Latitude (Salt Lake City; Kansas/Nebraska border; Columbus, Ohio; Philadelphia) Nov. 11 thru Feb. 25 (107 mornings) darker than April 4.

35° N. Latitude (Bakersfield; Albuquerque, Oklahoma City; Little Rock; Tennessee/Mississippi, Alabama border) Nov. 24 thru Feb. 18 (87 mornings) darker than April 4.

30° N. Latitude (Houston, New Orleans, Jacksonville) Dec. 11 thru Feb. 8 (60 mornings) darker than April 4.

| | Jan. 15 (STD) | April 15 (DST) |
|---|---|---|
| Chattanooga | 7:49 a.m. | 7:09 a.m. |
| Columbia, S.C. | 7:29 a.m. | 6:53 a.m. |
| Lansing | 8:03 a.m. | 6:58 a.m. |
| Minneapolis | 7:45 a.m. | 6:30 a.m. |
| Omaha | 7:47 a.m. | 6:45 a.m. |
| Rapid City, S.D. | 7:25 a.m. | 6:12 a.m. |

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During the debate on DST, we often hear of the "problems" of people who live in the far western reaches of their respective time zones, which have late sun rises and sun sets. In many of these areas, this is a matter of local option. Since the Interstate Commerce Commission established the time lines in 1919, there have been numerous movements of time lines, usually in a westerly direction. With the centers of each time zones drawn 15° apart, the theoretical boundaries should be half way between these centers. Thus, many parts of the country are in the "wrong" time zone. Or put another way, they are on daylight saving time year round.

Specifically, there has been "time line creep" across portions of Ohio, Michigan Indiana, Virginia, North Carolina, Georgia, Florida, Kentucky, Tennessee, Kansas, Nebraska, North Dakota, Arizona and Oregon.

We suggest that if the citizens in these predominantly rural areas really prefer morning daylight, then in most cases, the time line can be moved eastward by administrative action.

We recognize that moving the ending date of DST to the first Sunday in November would create the darkest mornings of the year, but the tradeoff here is more evening light on Halloween, traditionally a day of heightened concern for children's safety. One mitigating factor of these dark mornings is that the weather is still rather mild in early November and the mornings become darker gradually.

Many people who dislike DST focus on the disruption of going on and off Standard Time. Under this bill, we will still go on and off Standard Time the same number of times—that is, once in the spring and once in the fall.

For those who would like to "go back to the way things used to be," they should be reminded that prior to 1983, there were 54 time zones in the United States, including five in just Connecticut. Until 1919, observance of Standard Time was still voluntary.

Election day would come under DST only when November 1st falls on a Monday. This will not occur for Congressional elections until the year 2004.

Thank you, Mr. Chairman, for the leadership role you have taken on this issue and for the opportunity to appear before your committee.

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DAYLIGHT SAVING TIME COALITION TRADE ASSOCIATIONS

[Dollars in billions]

| | Companies represented | Annual retail sales |
|---|---|---|
| American Association of Nurserymen | 3,300 | $7 |
| Barbecue Industry Association | 65 | 6 |
| Foodservice & Lodging Institute | 45 | 45 |
| International Association of Amusement Parks & Attractions | 1,700 | 3 |
| National Association of Convenience Stores | 1,050 | 47 |
| National Candy Brokers Association | | |
| National Candy Wholesalers Association | | |
| National Confectioners Association | | |
| Chocolate Manufacturers Association | 110 | 6 |
| Single Service Institute | 39 | 3 |
| Sporting Goods Manufacturers Association | 2,000 | 21 |
| Total | 8,309 | 138 |

Senator GORTON. Thank you very much, Mr. Benfield.
Ms. Richman.

## STATEMENT OF TERI RICHMAN, NATIONAL ASSOCIATION OF CONVENIENCE STORES

Ms. RICHMAN. Thank you very much, Mr. Chairman, for inviting me to appear this morning. You asked in your letter that we refer only to the ways that the extension of daylight saving time might affect our particular industry, and that is exactly what I will do this morning.

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I represent the National Association of Convenience Stores. We have 1,100 corporate members who collectively own and/or operate nearly 42,000 convenience stores in the United States. In 1985, our industry will approach nearly $60 billion in total sales, and we employ nearly half a million people. We support extended daylight saving time for a variety of reasons.

Not all of them are directly related to direct profit motive to our industry, but to speak to that first, we do estimate using conservative numbers that for each additional week of daylight saving time, each individual store would likely experience about $350 to $500 in increased sales, which for the period of a 4-week extension as proposed by your bill would be about $1.25 billion for the year.

This increase in sales would come as a result of increased traffic on the road, more mobility during the daylight that would be provided in the after work hours. We have determined in our industry that at least 45 percent of the purchases made in our stores are impulse purchases, and these are purchases that obviously cannot be made when people are at home.

We enthusiastically support daylight saving time for other reasons, most notably the fact that it would better conform available daylight to the reality of Americans' busy lifestyles and schedules. I think more than any other industry, that as a member of the Daylight Saving Time Coalition we recognize the premium that Americans place on their time.

Indeed, that has been the success of our industry. We have found through consumer research studies that we have done that Americans are willing to compromise or trade almost or nearly tremendous things for time, and by that I mean price. They might also be willing to concede a little bit in terms of brand selection. To shop our stores. Our stores have been tremendously successful, and the primary reason cited by all of our customers is the ease and the time that they save by shopping convenience stores.

So, for those reasons, adding that extra hour of daylight, while it wouldn't literally lengthen a day, it would, we feel, greatly enhance the lifestyles of the nearly 100 million working men and women in the country today. Having worked the daylight saving time extension now for three Congresses, I, too, am encouraged by the compromise legislation that was passed in the House last week, and feel that with the input of even some of our members who have suggested that extensions offered in the past for too long, that we have thoughtfully and carefully prepared a bill that should not create any undue hardship or create any hazards or problems for any of the constituencies that are interested in this legislation, and through our participation in the Daylight Saving Time Coalition, we are hopeful that it will come to a vote in the Senate Commerce Committee and eventually, of course, the full Senate.

Thank you. I would be happy to answer any questions you have.

[The statement follows:]

STATEMENT OF THE NATIONAL ASSOCIATION OF CONVENIENCE STORES

Good morning Mr. Chairman and members of the subcommittee, My name is Teri Richman. I am Director of Government Relations for the National Association of Convenience Stores. We appreciate the opportunity to testify this morning in support of S.1433 seeking to extend Daylight Saving Time (DST).

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The National Association of Convenience Stores is the national, non-profite trade association for the convenience store industry. The association exists to represent its more than 1100 corporte retail members who own or operate more than 42,000 stores located in every state. This year, total convenience store sales will approach 60 billion. We are the fastest growing segment of the retail food industry.

The "convenience store", a product of the suburbanization of America in the late 1950's, has been successful and continues to grow for one basic reason. Today's Americans are on the move. They are busy people on their way to work, home, and play. They are active and mobile consumers. In convenience stores, Americans have found a quick, easy place to pick up everything from soup to snacks, from batteries to beach balls. The convenience store industry provides these busy Americans with a commodity they can never get enough of . . . that is, time. The point is, the convenience store industry recognized long ago the premium Americans place on their time.

The bill I am here to support today, S. 1433 seeking to extend Daylight Saving Time, would help today's busy Americans by providing an extra hour of daylight in the evening when most of us are out and about our daily routines for an additional one month each year. While extending DST does not literally lengthen a day, adding an extra hour of daylight during the average American's busiest time of day, is certainly the next best thing.

Specifically, Chairman Gorton's bill will extend DST by changing the beginning date from the current last Sunday in April to the first Sunday in April. In the fall, it extends the end of DST one week from the last Sunday in October to the first Sunday in November. Enactment of this bill would conform the start and end of daylight saving time to the reality of most Americans' schedules, greatly enhancing their lifestyles.

For example, on April 1 each year, the sunrise times for a majority of locations in the country occur before 6:00 a.m. and sunsets are before 7:00 p.m. Extending DST as proposed by S.1433 would provide busy Americans with a far more useful hour of daylight in the evening to recreate, exercise, or shop than they presently have between 5:00 a.m. and 6:00 a.m. each morning during April. A big help to the over 100 million working men and women in American today.

This bill further assures that no sunrises in the spring will be later than those presently occurring in the fall . . . an important aspect which accommodates the very legitimate concern for the safety of schoolchildren traveling to school in the morning.

Id like to comment briefly now on some of the more quantifiable benefits of extended DST, many of which were articulated during the debates of the 97th Congress when the House approved an extension of DST.

One of the most obvious and advantageous of the benefits of extended DST is energy conservation. Conservation accrues because the sun shines one hour later in the evening eliminating the need for artificial lighting in buildings. After the Arab Oil Embargo of 1973, an experiment in energy conservation was tried in 1974 and 1975. DST was extended 10 months and 8 months respectively. The Department of Transportation (DOT) conducted a study of that experiment which indicated that during April of 1974 and 1975 the equivalent of 50,000 barrels of oil each day or 3 million barrels were saved.

The Department of Transportation also studied the effects of that 1974 and 1975 experiment on traffic safety. By extending DST into April, people have 1 extra month each year in which to drive home from work and run errands during daylight. Driving in daylight, by all accounts, is safer than driving at night. Improved traffic safety, a long-time Administration goal is a worthwhile objective and is promoted by extended DST which could account, using DOT study findings, for a reduction of from 1.5% to 2% in traffic injuries and fatalities without *any* increase in early morning hazard to any population group.

Additionally, DST favorably effects a reduction in crime. By enabling people to get home from work and run errands in daylight, extended DST would reduce Americans' vulnerability to crime. A study of crime rates in the District of Columbia during 1974 and 1975 indicated that DST could account for a reduction in crime, particularly violent crime, by 10–13 percent.

When these reasons—significant energy conservation, reduced traffic fatalities and injuries, and reduced crime are paired with strong public sentiment favoring extended DST, the logic supporting extension becomes clear. Enactment of S. 1433 would serve many purposes well.

Of course, the statement of the National Association of Convenience Stores is not complete without a comment on our specific interests in securing extended DST. An extra hour of daylight in the evening during April would expand recreational, com-

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munity-oriented, and shopping opportunities for Americans. It would also serve to increase mobility during after work hours in the spring. Both of these factors contribute favorably to our business through increased customer traffic, particularly among working women, some 47 million women, whose business our industry is seeking to attract in larger numbers.

In an article on DST extension published in *Fortune* magazine last November, our largest member, the Southland Corporation, estimated that an additional 4 weeks of evening daylight would mean nearly $16–18 million in additional sales in their stores. This increase would, they contend, be attributable to more women shopping at their locations. Women, generally more security conscious than men, favor daylight hours for shopping. Industrywide, we estimate nearly $1.25 billion annually in increased sales.

Therefore, on behalf of our members, the majority of whom are small businesses, we are supporting S. 1433 because its enactment in many ways would serve to strengthen and expand our business, create employment opportunities and promote a larger role for the convenience store industry in the overall economy.

To summarize Mr. Chairman, I would like to briefly return to my opening comments on the success record of convenience stores. We have been successful because we have responded positively to the rapidly changing lifestyle of Americans today. We have recognized the value of time.

The Senate has a similar opportunity here as you address the issue of extended DST. To enact this bill would be to give the majority of Americans exactly what they need and what they want—the opportunity to have the benefit of an extra hour of daylight during their busiest time of the day.

That benefit alone, not to mention the valuable energy that will be saved and all of the other benefits discussed earlier, presents Congress with the opportunity to do something very useful for the majority of Americans with relatively few adverse effects and practically no expenditure . . . a scenario not often posed to Congress.

The National Association of Convenience Stores urges you to favorably consider enactment of S. 1433 as expeditiously as possible. Through our active participation in the Daylight Saving Time Coalition, we stand ready to assist you in your efforts.

Thank you. I will be happy to answer any questions you may have.

Senator GORTON. Ms. Berman.

## STATEMENT OF JOANNE BERMAN, RP FOUNDATION FIGHTING BLINDNESS

Ms. BERMAN. Thank you, Mr. Chairman, for allowing me to speak to the subcommittee today on behalf of the RP Foundation Fighting Blindness, and for RP's nationwide. Daylight saving time is an important event for many of the more than 400,000 Americans who have an inherited eye disorder called retinitis pigmentosis.

RP is a group of progessive eye disorders that often leads to blindness. One of the main symptoms of RP is night blindness, where you lose the ability to adapt from light to dimly lit or dark settings. This is often accompanied by gradual loss of peripheral vision. Having night blindness is similar to being blindfolded, placed in unfamiliar surroundings, and then trying to figure out where you are.

People with good vision are able to adapt to various levels of light and look forward to the beauty of the sunset, but to people with RP, a sunset can be a nightmare. Having daylight saving time extended 3 weeks in the spring and 1 week in the fall will enable people with RP to have 1 more hour of sight and independence.

The extra hour of light means people with RP can walk outside after work or school without any hesitation or fear of not being able to see what is in front of them. As a member of the steering committee of the young adult program of the RP Foundation Fighting Blindness, and as a young woman with RP, I understand and

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emphathize with the RP population. With the extension of daylight saving time, young adults with RP would have an extra hour of sight to participate in extracurricular activities after school.

If students have a late class, they can concentrate on the class and not worry about walking outside to darkness. That extra hour of light can help avoid potential accidents, but more importantly, that extra hour of light can go a long way toward helping someone give their maximum potential to their job or their class without having to worry about the hazards of getting home. You see, once the sun sets, even ordinary activities like a stop at the drycleaner or meeting a friend for coffee must be postponed until daylight. I speak for all people with RP when I say our sight is precious to us, and an extra hour of daylight enables us to enjoy seeing for 60 minutes longer. It may not seem like a big deal to people fortunate enough to have a pair of healthy eyes, but to someone slowly losing his or her vision, every second of sight is valuable.

The RP Foundation Fighting Blindness was established to raise funds for research, to find the cause, treatment, and prevention of the site stealer, but until that day arrives the foundation realizes the importance of the extra hour of daylight to people with RP. That is why the foundation and I believe daylight saving time should be extended.

You have the ability to give the gift of sight. Please help us find that gift. Thank you.

Senator GORTON. Ms. Richman, I would like to ask you whether or not in your organization of convenience stores you have received any opposition to your position on daylight saving time within the group of stores themselves and whether or not that is geographically located.

Ms. RICHMAN. To be honest, when we were initially supporing 7- or 8-week extension of the bill in 1983 that was defeated, it was a gentleman from Kentucky, our then chairman of the board, Joe Peden, from the Conock Corp. in Louisville who came to us and said 8 weeks is too long.

Since that time, we have modified our position back to 4 weeks, and the mail has been totally supportive of the 4-week extension. But that was the only letter, and that was the only contact. There was enough of a contact at that point to cause us to modify our position at that point.

Senator GORTON. Do you think that you would lose as much business by having extended hours of dark in the morning as you would gain by having an extended hour of daylight at the evening?

Ms. RICHMAN. Do I think we would lose as much business?

Senator GORTON. Presumably you like this because more people are likely to shop in daylight hours. Are you going to lose something in the morning to balance whatever you gain in the evening?

Ms. RICHMAN. No, that has not been an issue at all.

Senator GORTON. Mr. Benfield, were you working this issue pretty hard in the House?

Mr. BENFIELD. I would say fairly hard, yes. The final week or two, yes.

Senator GORTON. Did you find that the breakdown in the vote of the House was close to exclusively Members from coastal States voting for it, and everyone else voting against it?

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Mr. BENFIELD. No. There seemed to be a pretty good mix. I took a very close look. There were surprises all over the place. There were people who according to our theory on the coast voted against it. I know Doug Bosco in California voted against the bill, but I also noticed that——

Senator GORTON. One of my Congressmen did, I know.

Senator FORD. Give us Kentucky's votes.

Mr. BENFIELD. I know Mazzoli and Perkins from Kentucky voted for it.

Senator FORD. Perkins didn't take the advice of his father, who was formerly a Congressman who voted against it every time.

Mr. BENFIELD. No, it is not a pure fit, but there were a lot of Members from all over the country, St. Louis, Louisville, who voted for it.

Senator GORTON. Was it more likely to break down on urban-rural grounds than it was on coast-Midwest grounds?

Mr. BENFIELD. I would say a little bit more toward urban, but again there were some surprises, like Mr. Perkins, who is from a rural area of Kentucky. Mr. Coats, Mr. Tauke, these were leading opponents. Mr. Coats from Indiana led the opposition 2 years ago. The Coats amendment was responsible for killing the bill. And he voted for it this time. Mr. Tauke from Iowa, was one of the leading opponents 2 years ago and voted for it.

Senator GORTON. In Mr. Coats' case, it does not make any difference.

Senator FORD. That is right. He is excluded.

Mr. BENFIELD. But he was the most vocal person in the House.

Senator GORTON. Against it 2 years ago.

Mr. BENFIELD. Two years ago it was the Coats amendment which allowed States to exempt themselves from the extension period, and that would have created time zone chaos, and that led to the defeat of the bill, and he voted for it this time.

Senator GORTON. You stated that you believe that the concern for the safety of schoolchildren on streets in the morning came up in 1974, when there was 10 months of daylight saving time. Can you elaborate on that at all?

Mr. BENFIELD. Sure. There is not a person I run into at cocktail parties, and they say "what about the schoolchildren?" The understanding of the public of that issue is absolutely incredible. These are just anybody I encounter on the street. And I think that was the biggest mistake that was ever made. We should never have had it in January and February, and that is the biggest problem we have in the Congress today. Also, people tend to compare April to October, and it was really dark a couple of weeks ago, and that is not what we are proposing in April. April is much, much lighter than October.

Senator GORTON. Ms. Berman, did you say there were 400,000 people in the United States suffering from RP?

Ms. BERMAN. That the foundation knows of.

Senator GORTON. Is this an inherited disorder, or are most of these elderly people who are simply——

Ms. BERMAN. It is an inherited disorder, yes, which means that it is covering a wide range of retinal disorders, which means——

Senator GORTON. So it covers all age groups?

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Ms. BERMAN. Yes.

Senator GORTON. Are you primarily concerned with the leisure activities of people who suffer from RP, or are jobs and studies affected as well?

Ms. BERMAN. I think it is both. It is depending upon what age level you are discussing. If you are discussing children, obviously, extracurricular activities after school are important, and people who are at work, like myself, if I am leaving work at 4:30, to me it is dark. I can function OK during the day by myself. Once it becomes dark, I will have to depend upon someone else to help me get around, which is not always that convenient.

Senator GORTON. Senator Ford.

Senator FORD. Ms. Berman, you are the first one that has testified that does not have a profit motive. And I congratulate you on that.

Ms. BERMAN. Thank you. I am proud of that fact.

Senator FORD. Your position and my position are basically the same, with the exception that you would like to see a 4-week extension. I have a great deal of concern for our children, and we do have problems in the west end. I think, Ms. Richman, by the very fact that Mr. Peden wrote and made a decision that they were opposed to 8 months, and now 7 months by her testimony. I know all of the Pedens, and I know them in the central time zone as well as the eastern time zone. They reside on both sides of the time zone, so it indicates, Mr. Chairman, that even those who are looking at the profit motive are very concerned about any extension of daylight saving time as it relates to the western edge of any of these time zones.

Ms. Berman, if you were in Louisville and you had to go to work, and you had the RP problem, would you not encounter an early morning problem as well as a late afternoon or a late afternoon advantage? Would you not have a tradeoff on that particular basis? You are talking about schoolchildren having to go to school. They would go to school in dark.

Ms. BERMAN. Well, the difference is, is when you wake up in the morning, it is becoming light as opposed to becoming dark, and so you start seeing more in the morning as opposed to becoming dark in the evening. As the light progresses you are having more problems getting dark, as you can see more when the light starts shining out.

I went to school, and I was going to school in the dark. By the time I was reaching my bus or however I was going, the light was beginning to come out, as opposed to when I was staying at after school activities. I did have difficulty getting home.

Senator FORD. About what time would you get home in the evening from school?

Ms. BERMAN. Three-thirty.

Senator FORD. Then what time would you be going to school in the morning?

Ms. BERMAN. Seven-thirty.

Senator FORD. This week it is daylight at both times. Last week it was dark in the morning and a little bit lighter in the evening, and under the 6 months, 6 months, you would have more time, I think, going to school in daylight and coming home in daylight

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than you would if we extended it. You would be still going to school in the extension in darkness both in April or through early April and through early November. I do not believe it is a tradeoff for you here. I think that during the daylight that you would have in summer months when you would have extracurricular activities, the sun is still up in late afternoon. It would give you that opportunity, but I believe those with your problem would be benefited, and I say this very sincerely now, and as I say, you were the first one I visited so far that does not have a profit motive, and I respect you. I understand your problem, and I understand what you are trying to do. I agree with you, but I do believe that last week you would have gone to school in darkness, and you would have come home in daylight.

This week you would go to school in daylight and you would come home in daylight. And so I just do not believe that extra hour is as beneficial as you might think, and I do not have your problem, and I do not understand it. I mean, I feel for you. But if you look at just last week and this week, and last week would have been extended into this week, you would have both times in daylight if you were going to school.

Now, going to work in Louisville, if you had a job opportunity, you would be going to school in darkness for a long period of time, or going to work in darkness for a long period of time, so you would have a longer period of time. So, I hope you would revisit that problem just a little bit, particularly as it relates to—your problem as it relates to schoolchildren.

Ms. BERMAN. OK. I understand what you are saying, but No. 1, I am discussing after school activities which, what, shall we say a quarter of the children are involved in, if it is not playing outdoors, it is activities at school. These activities can go on until 5, 6 o'clock, which I have been involved in.

Now, I could feasibly walk home from school if it was light out. I am not able to do that once it becomes dark. Buses do not run at 5, 6 o'clock, school buses to take these children home. I have met with RP's between the ages of 18 and 35 all over this country. One of the first malfunctions of the eye is night blindness, and this does present problems when people can function during the day. They also—in speaking of jobs, I cannot perform errands after my work if I am out at 4 o'clock in the dark. I cannot postpone all of my errands until every Saturday. I would be postponing my life, and I just cannot do that.

Senator FORD. Well, I do not think that at 4 o'clock in the afternoon it would be dark. It was not dark last night at 5 o'clock. I do not want to get into an argument with you, because I am for you. But I am talking about those getting an education, most children, and I am not sure—those were the problem, but most of the children would be riding a bus or getting some kind of transportation, I think, or particularly those in large urban areas are on buses. I think in Louisville, we have a busing problem there.

We bus them from the east end to the west end because of integration, and you get up at 4:30, 5 o'clock in the morning to go to school, and you are on the schoolbus for over an hour. That is all in the darkness, and then you are in class for an hour, and you watch the Sun come up from the class while you are in class.

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So there is a tradeoff in my area based upon this area here, and I think that hopefully I am on the right track, that you would be ultimately better off at 6 months and 6 months rather than extending it to 7 and 5.

Mr. Benfield, in your statement you talk about energy savings from reduced lighting requirements. Who gets their electrical bill reduced under the extension of daylight saving time?

Mr. BENFIELD. We actually have not focused on that. If you look at my membership list, there is no member on there that is making the energy argument. We say that it would be an important reminder that we should be conscious of our need to conserve energy, but the savings and the profits for our coalition do not come from energy savings, and I have never really focused on it all that much.

Senator FORD. Well, I wish you would focus on it, because there is a new entitlement program in this. It gives those a break on the shore or on the eastern edge of any time zone, and it costs those on the western edge of the time zone as it relates to heat or electricity. You find that in daylight saving time, if you go back and look, that more energy is used because more children are driven to school during daylight saving time or in that period when they start to school than otherwise.

Not only are you costing the electrical rates, heating, additional driving, all of that is factored in, and I have those facts if you would like to look at them. I think you ought to factor in all of the problems as they relate to the cost to those who are being adversely affected as a result of extended daylight saving time.

Mr. BENFIELD. The sporting goods manufacturers may address that point. There are a lot of schools that try to get two football games in the evening. If they cannot by daylight, then they are forced to use stadium lights and therefore use artificial lighting, which is extremely expensive, and so you actually would save this school system some lighting there.

Senator FORD. Well, Mr. Benfield, how many schools start football before September 1, and who has a football game before 8 o'clock at night. Who would dare not turn the lights on because the other team might complain they couldn't see to catch the ball. The football program would start practice prior to that, but how much football starts in high school?

Mr. BENFIELD. Varsity games. No, but I think a lot of frosh and JV games, yes. As I say, we really do not emphasize the energy argument.

Senator FORD. Well, you just came forth with, you know, they would not turn the lights on. Well, I do not believe I have been to a high school football game recently in the western edge of a time zone or the eastern edge of a time zone that did not have the lights on. How many football games have you been to recently?

Mr. BENFIELD. Not very many.

Senator FORD. Well, I will look out the back door in my home and see the football lights, and we have an awful lot of problems. We just reincreased our taxes at home to try to improve our educational system, and that was not a very easy pill to swallow, to increase our taxes. We had to call a special section of the legislature,

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and turning the lights on early in the morning is another cost to the educational system.

You know, they say old Ford, he is just against it. You began to look at the hurt that is being spread on a small area maybe, say 15 percent. That is what I have heard here this morning. But you look at all the farmers. You look at all those children that are bused. You come to Louisville, and we have children inside the city limits of Louisville that are bussed 23 miles. When they are bused 23 miles inside the city, they are up way before daylight, and you extend that time. It means they are in darkness that much longer.

I do not care if the hour is the same hour in New York as it is in Louisville. There is an hour's difference in the Sun. And that Sun does not come up then for an hour later. We turn the lights on an hour earlier and still get out in daylight on both ends. I see where we are going to have a 3-percent increase in golf clubs and golf balls purchased. That is fine.

I am not sure. We have got a lot of kids that get in the lake out at our two country clubs. One is public, one is private, at home, and they get an awful lot of golf balls out of the water. And I would hope that you all would reconsider this. I do not like to be opposed to my friends in the convenience stores. That is not my contention. But if you had more daylight, there is always an economic tradeoff, Ms. Richman.

If they buy more from convenience stores, they are buying less from supermarkets. So it is to your advantage and not to theirs. So there is a tradeoff somewhere. I have traded with convenience for a long, long time, but I always go there when I can just jump in the car and run down and get a quart of milk or a loaf of bread or a pack of cigarettes or whatever it might be. That is the way I look at it, and that was your purpose in being when they were first organized and put out. You can go down and pump your own gasoline when you are out of gasoline 24 hours a day. So if I am about to run out, I can run to a convenience store and pump my gasoline at 10 cents less on the gallon.

I understand that you have gone to great effort. So I think there is an economic tradeoff. Some people get hurt in what you want to do even though there is a profit motive, and some, I think, can show you the inconvenience and the problems as they relate to the farming community, because they do not do anything until the dew goes off the ground and the stores close about midafternoon for some. The farmer continues to work on as long as the Sun is up, and then the store closes, and he has to work until the next morning to try to get his equipment prepared.

There are so many things here. And I live with it every day. And I am not sure you all do. Ms. Berman, I am very concerned about her. You know, Mr. Chairman, I have heard about the compromise. You know, we have got a compromise now at 7 months instead of 8. At home we think 6 months is a compromise.

Senator GORTON. Ms. Richman, Ms. Berman, thank you very much. Mr. Benfield, if you would stay because you are sort of a member of this coalition, and maybe move over one seat, and we will ask Mr. Pantuso, Mr. Burd, and Mr. Hetrick to come up and give their testimony.

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Senator FORD. Mr. Chairman, I wish I could stay around, but I am reminded I have another meeting, as we all do. And I think I have said enough about candy. That is the next one that is up. Today is Halloween, is it not?

Senator GORTON. Today is Halloween.

Senator FORD. The goblins are here.

Senator GORTON. Mr. Pantuso.

## STATEMENT OF PETER PANTUSO, NATIONAL CONFECTIONERS ASSOCIATION

Mr. PANTUSO. Mr. Chairman, thank you. Members of the committee, Senator Ford.

Before I begin my testimony, I would like to wish all of you a happy Halloween, because it is a very happy and festive season.

Senator FORD. Are you going to x ray all the candy that my grandchildren get?

Mr. PANTUSO. It should not need to be, Senator. Halloween tampering has really not been a problem. It has been more of misnomer than it has been a concern.

Senator FORD. You might think that is right, but talk to the parents.

Mr. PANTUSO. Mr. Chairman, again, my name is Peter Pantuso, and I represent the National Confectioners Association, and in the interest of time, I will summarize my remarks and ask that the complete text be inserted into the record.

The association represents over 100 confectionery manufacturers. With our sister association, the Chocolate Manufacturers Association, we represent 115 companies and employ approximately 66,000 people in the industry.

We support in total the provisions of Senate bill 1433 that has been introduced by Senators Gorton, Mitchell, and Wilson, and we are very supportive especially of the provision to extend daylight saving time 1 week during the fall.

In the past, Halloween has gone through a great transition. Hundreds of years ago, people burned fires and had torches to keep away evil spirits, but now we greet people with candy on Halloween. Children go out on Halloween night, and they will be going out by the millions tonight, and right now, under the current provisions of the law, Halloween is celebrated under standard time. That is the reason we support the provisions of 1433, because we would like to see Halloween celebrated during daylight saving time.

In the industry we believe it would be not an additional hour of sales or more trick or treating than what takes place right now, but we think it is an additional hour of safety. For many years we have encouraged parents to allow their children to go out during the daylight hours, and to accompany them with flashlights so that they can have light when they are trick or treating in the dark, but this would give them an additional hour of safety, and they would have an additional hour of light through enactment of Senate bill 1433, and we support it wholeheartedly, and encourage the committee to do so.

[The statement follows:]

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STATEMENT OF PETER J. PANTUSO, LEGISLATIVE AFFAIRS MANAGER, NATIONAL CONFECTIONERS ASSOCIATION

Mr. Chairman, members of the subcommittee, my name is Peter Pantuso. I represent the National Confectioners Association of the United States.

The Association represents over 100 confectionary manufacturers across the country. Together with our sister association, the Chocolate Manufacturers Association of the United States of America, we are a $6.6 billion industry (wholesale value) employing approximately 66,000 people.

We support S. 1433, sponsored by Senators Gorton, Mitchell and Wilson, which would extend Daylight Saving Time to the first Sunday in April and to the first Sunday in November.

The confectionery industry is primarily interested in the one-week fall extension.

As you know, today is Halloween, the evening when children across the country carry out a centuries-old tradition.

The Halloween of today is practically synonymous with candy and parties. It gives children and adults alike carte blanche to dress in costume and have good old-fashioned fun.

Little do most people know that the light-hearted customs of feasing and visiting came from ancient New Year's festivals in Wales, Ireland, Scotland and Brittany. October 31st was the Celts' New Year's Eve, when evil spirits were supposed to wander back to their homes. To appease them, villagers would greet these spirits with a banquet. Afterwards, the villagers, disguised in costumes for protection, marched to the edge of town to lead the visiting spirits away.

Today, we present candy to friends and family as gestures of friendship at Halloween.

While in days gone by people would use costumes and torches to remain safe from "evil spirits" on this special night, today parents and children are encouraged to observe safety rules from The National Safety Council and the National Confectioners Association to make sure Halloween is enjoyable for all.

One safety point that the Association has been most insistent on is that when children go door-to-door that they be accompanied by an adult and try to go out during daylight hours.

Currently Halloween is celebrated during Standard Time, since the time change occurs on the last Sunday in October.

The change as it appears in S. 1433 would mean that Halloween will always occur in the Daylight Saving Time, creating an additional safety factor for children and parents by creating an extra hour of evening daylight.

Since the National Confectioners Association was founded 102 years ago, our goal has been to see that the consumer receives a safe product. Halloween safety has been at the forefront of our public relations program.

During the last three years, Halloween safety has been advanced through extensive efforts of Dr. Joyce Brothers and this year comic strip character Garfield in television public service announcements, and in newspaper and magazine articles. Parents and children are encouraged to think "safety first" when they are out on Halloween night.

An extra hour of evening daylight on Halloween would give most children and their parents the opportunity to enjoy themselves longer in daylight and would provide an extra hour of safety for our nation's children.

We urge members of the Subcommittee and the full Committee to support S. 1433 in Committee and on the floor of the Senate.

Thank you.

Senator GORTON. Thank you.

Mr. Hetrick.

## STATEMENT OF JACQUE HETRICK, SPALDING SPORTS WORLDWIDE, SPORTING GOODS MANUFACTURERS ASSOCIATION

Mr. HETRICK. Mr. Chairman, thank you for the opportunity to testify before you and members of the committee in support of amending the Uniform Time Act of 1966 by having daylight savings time begin on the first Sunday in April and end on the first Sunday in November.

I am here today representing Spalding Sports Worldwide and members of the Sporting Goods Manufacturers Association who

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produce 80 percent of the athletic clothing, footwear, and sporting goods equipment that appear on U.S. retail store shelves.

The sporting goods industry is $14 billion at wholesale or $22 billion at retail. It is an industry whose products cut across all demographic and geographic lines, and touch almost every American's daily life. For the sake of brevity, let me capsulize the remainder of my testimony.

By extending daylight savings time, tens of millions of Americans will be positively affected. The extra hour of daylight would increase practice and game time, increase utilization of facilities, which in turn would reduce costs of unit operation, provide revenue to improve and build new facilities, reduce student absenteeism from class.

In order to participate in extracurricular activities, improve the economic stability of the sporting goods manufacturers, Mr. Chairman, extending daylight saving time as S. 1433 proposes is an effective partnership between government and industry that not only promotes lifestyles which embrace recreation and fun, but the growth of the recreation economy which contributes substantially to our Nation's overall health.

We thank the committee for allowing us this opportunity to testify, and I will be happy to answer any questions.

[The statement follows:]

STATEMENT OF JACQUE HETRICK, SPALDING SPORTS WORLDWIDE

Mr. Chairman, thank you for the opportunity to testify before you and members of the Committee, in support of amending the Uniform Time Act of 1966, by having Daylight Saving Time begin on the first Sunday in April, and end on the first Sunday in November.

I am here today, representing Spalding Sports Worldwide, and members of the Sporting Goods Manufacturers Association, who produce 80 percent of the athletic clothing, footwear and sporting goods equipment that appear on U.S. retail store shelves.

The sporting goods industry is 14 billion dollars at wholesale or 22 billion dollars at retail. It is an industry whose products cut across all demographic and geographic lines and touch almost every American's daily life.

The expansion of Daylight Saving Time is a public policy decision that involves the economic and leisure interests of tens of millions of Americans. Public policy makers sometimes assume that recreation is a luxury activity. While it is a vital social compliment to the time spent earning a living, it represents a significant portion of the nation's economy.

The National Golf Foundation has projected that an extra hour of daylight over a one month period would provide the potential for 11 million more rounds of golf to be played. Using that as a limiting case, we see the potential for 19.9 million dollars more in golf ball sales and 6.4 million dollars more in the sale of golf clubs.

In addition, the resulting 2.4 percent increase revenues to the industry. Even if we paint a less than ideal scenario, we could still see the potential for at least an increase of 6 million rounds of golf and 114 million dollars in increased revenues.

The net effect of these increased revenues would be the strengthening of local recreation economies, as the monies generated by municipal golf courses would be plowed back into local parks and recreation budgets.

Extending Daylight Saving Time to the first Sunday in November would also be a boon to Autumn golf.

Traditionally, we have seen a leveling off of the sport around Labor Day Weekend. By using Daylight Saving Time as part of a promotional strategy, we could well serve the growth of sports and fuel the economic base of service providers.

In talking with coaches, athletic directors, youth sports leaders and other manufacturers, the SGMA found that extending Daylight Saving Time would lessen the interference of sports in the education process, contribute to the safety and performance of athletes, and reduce recreational participation costs.

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Many times, athletes are forced to miss their last period of classes in order to play a scheduled game. By having an extra hour of daylight, we can help reduce this problem.

In addition, for the 20 million youth, aged 6–18, playing recreational sports, and the 5.5 million playing interscholastic sports, extending Daylight Saving Time provides an extra hour of daylight for warm-up and practice activities, which would reduce the potential for injury.

Also, since under Standard Time, games are called for darkness, the possibility of playing a double-header increases, reducing costs for transportation, lighting and officiating services.

Daylight Saving Time also equalizes the number of games played by children throughout the country. Because of darkness, youth in the Northeast and Midwest play only as many as 18 games a baseball season. Their counterparts in the South, play 25. Extending Daylight Saving Time makes the competition fairer. Baseball equipment producers look at a 1 to 2 percent increase in the sale of balls, or about 60,000 dollars with the American Amateur Baseball Congress projecting a 10 percent increase in the number of games played.

With 87 percent of the people playing tennis on outdoor courts, extending Daylight Saving Time is projected to increase racket sales about 4 percent, or 7 million dollars, and tennis ball sales approximately 10 percent, or 12 million dollars.

Also, the Soccer Association for Youth estimates an increase of 20 percent in the number of games played. Producers of inflatable goods see the potential for a 4 percent increase in sales for their products.

Mr. Chairman, extending Daylight Saving Time as S. 1433 proposes, is an effective partnership between government and industry that not only promotes lifestyles which embrace recreation and fun, but the growth of the recreation economy which contributes substantially to our nation's overall health.

We thank the Committee for allowing this opportunity to testify. I would be happy to answer any questions.

## STATEMENT OF DENNIS L. BURD, AMERICAN ASSOCIATION OF NURSERYMEN

Mr. BURD. Thank you, Mr. Chairman, for the opportunity to speak before this committee today. My name is Dennis Burd, and I am the president and owner of Country Market Nursery in Mechanicsburg, PA. I am here today on my own behalf, but also on behalf of the American Association of Nurserymen, the National Landscape Association, and Garden Centers of America.

These three organizations represent over 3,200 firms in the nursery, landscape, and garden center industry. We support the extension of the daylight saving time bill to begin the first Sunday in April.

First of all, let me tell you about my business. I have been in the garden center business for 12 years. My staff and myself have worked very, very hard to get our organization to the point that it is today. We employ over 80 people during the spring season. Plants and gardening items comprise the majority of our product mix, and we produce greenhouse crops in over 2 acres of greenhouse space. We also grow shade and flowering trees on our tree farm so my roots really go back to farming and agriculture. I was born and raised on a dairy farm.

Our industry is closely linked to the spring season. As a businessman I would love to have our sales spread evenly throughout the year. The reality is that the bulk of our sales of plants and garden products are transacted during the brief spring season. Approximately two-thirds of all of our sales occur during the period of April through June.

All of you can relate to the desire to get outside and into the fresh air after a long, cold winter. In our industry, we believe in

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the theme, "Discover the Pleasure of Plants." Ask anyone about living plants in their surroundings, in their environment. Their first response will almost always be beauty. Plants, trees, and shrubs do much more, however, including purification of the air, stabilization of the soil, clarification of the water, and the conservation of energy. Plants also contribute to the mental and physical health and emotional well-being of individuals. An hour or two spent in your yard is a fine tonic for anyone. This will help with the mental and physical well-being of individuals, after a day of stress and meeting deadlines throughout our work life.

In the end, as much as our product sells itself, we still are dependent on the psychological benchmarks which influences nearly all consumer spending. Just as the day after Thanksgiving signals the beginning of Christmas shopping, daylight saving time also sends a signal to the gardening consumer.

Our present time law is nothing more than an artificial barrier which delays the spring season beyond the physiological start of the season. By moving the start of daylight saving time closer to the actual first day of spring, March 21, both the psychological and the physiological phenomena are brought into synchronization.

It seems a logical choice to begin daylight saving time at an earlier date as this movement provides a better balance in the number of days in both the spring and the fall, when days are either lengthening or shortening in comparison to the spring and summer equinox.

There are, of course, many other reasons to advance the start of daylight saving time. In recent years we have witnessed the emergence of several trends in consumer habits which have had a substantial impact on retailing and have influenced the use of leisure time. For example, the development of the two wage earner family has generated more discretionary dollars, but at the same time it has reduced the number of family leisure hours available to devote to outdoor activities.

This particular trend is important to us in that our marketing surveys have consistently demonstrated that the woman is the decisionmaker on the purchases from our retailers. It is her leisure time which has been eliminated by her new role as the working woman. We cannot help but believe this influences her decisions.

Another trend which has evolved over time is the fact that we live in the suburbs and work in the city. An hour or two of leisure time is lost daily in commuting to work. It may not seem like much, but it is important to remember the evening commuting hours are also premium time for the leisure outdoor activity. A decision to make an investment in your yard or your garden is influenced by the number of hours available to maintain it. The 30-odd hours we would gain from this proposal can make the difference in this decision.

Frankly, our customers are already looking for that extra hour of shopping time. We have extended our store hours to the very limit. In effect, the extension of daylight saving time would yield a dual dividend. The extra leisure hours lead to the decision to start a yard or garden, and the extra hours also permit us retailers to display our products more effectively in the evening hours.

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Further, as dependent as we are on the spring selling season, weather can create havoc with our operations. Stretching the season would allow us to absorb the impact of rainy weekends and could make the difference between a disastrous spring and a profitable one. At a minimum, it would certainly provide the consumer with more shopping opportunities. It is hard for us to put a hard dollar estimate on the additional sales that could result from this change, but as we are a $5.2 billion a year industry, I feel it is reasonably safe to say it could boost sales by the tens of millions of dollars. We are also a very labor-intensive industry, and these additional sales could quickly translate into new jobs.

In summary, there are major benefits to be gained for the consumer and the nursery garden center industry by extending daylight saving time. It will provide the consumer with more opportunities to enjoy nature and spend time on worthwhile activities. We see no barriers to offering plant material for spring, which truly begins in sync with spring.

We thank you for the opportunity to present our views before the committee.

Senator GORTON. Mr. Burd, thank you very much. I am not going to keep you all much longer. I think you said something at the very end of your statement with which I suspect each of the others would agree, though they can comment on it. We can come up with legitimate statistics showing that there is a greater degree of traffic safety in the spring with daylight saving time, that we will benefit small children at Halloween, and that we are likely to save at least a modest amount of energy, but the essential argument for what we are doing here, I suspect you would all agree, is that accords with the way in which people live and would like to live.

I suppose, Mr. Hetrick, that people could go out and play golf at 5 o'clock in the morning if they wanted, but people do not want to go out and play at 5 o'clock in the morning. They want to play after work is over, and that is why with the same number of daylight hours you can sell more sporting good equipment if there is a longer amount of daylight in the evening, and I suppose you could open up your nursery at 5:30 in the morning and have it there for people to come, but nobody is going to come. They want to do it on their way home, and have daylight in which to engage in those activities, and the same argument would apply with respect to the candy industry on Halloween. So when it comes right down to it, you are talking about having a situation in which people can live the way in which they would like to live.

Setting up our time zones for the convenience of people rather than telling people that they have to adapt to time zones. Is that fair?

Mr. BENFIELD. Yes. Our coalition suggests that we are not the only group of people that would benefit, and I have done some research and talked to some farm groups, and I have discovered that beef sales and beef slaughter goes up by about 9 percent during the summer months, and this is almost all due to the barbeque industry.

They would benefit. I know some major farm equipment manufacturers who manufacture a lot of lawnmowers, would benefit, but a lot of these people are nervous about offending the farmer, and

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so some of these groups are actually suffering by their inability to come out front and say, yes, we would benefit also.

Senator GORTON. Does anyone else want to add any last word?

[No response.]

Senator GORTON. Under those circumstance, I thank you very, very much for your help and for your participation. We are adjourned.

[Whereupon, at 11:30 a.m., the subcommittee was adjourned, to reconvene upon the call of the Chair.]

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## ADDITIONAL ARTICLES, LETTERS, AND STATEMENTS

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### STATEMENT OF HON. PETE WILSON, U.S. SENATOR FROM CALIFORNIA

Mr. Chairman, it is a pleasure to appear before your committee today in support of S. 1433, a bill to extend daylight savings time. Under this proposed legislation, daylight savings time would begin the first week in April and end the first week in November, adding 4 weeks to the current daylight savings period.

A continuing interest in the proposal to extend daylight savings time has been proven by the number of bills introduced in Congress in the last few years. I cosponsored S. 1433 because I believe that this bill represents the best of the different proposals that have been made on this issue. This bill would extend daylight savings 4 weeks longer than under the present system of "6 months on, 6 months off", yet not as far as the more controversial 8 month proposal.

The extra daylight hour in the evening for a 7 month period will provide maximum benefit to the public, taking into consideration such positive effects as increased energy savings, increased traffic safety, and hopefully a reduction in the incidence of crime.

The projected energy savings alone justify this bill. A substantial burden on our energy resources can be lifted by using the hour of sunlight as the generally more productive hour in the early evening. According to a Department of Transportation study, daylight saving time could save as much as 100,000 barrels per day of oil equivalent during the month of April. We cannot overlook the fact that this is a simple and inexpensive means of energy conservation; an extremely important consideration when we, as a legislative body, or more importantly, as a Nation, are forced to face present-day energy limitations.

Earlier this month, the House passed a virtually identical bill, H.R. 2095, by a large margin. This is an obviously popular measure which presents tremendous advantages and affects people nationwide. I join the majority of California delegates who support this logical extension of daylight savings time. I hope that this committee will act favorably and expeditiously on this important legislation.

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### STATEMENT OF HON. ALAN CRANSTON, U.S. SENATOR FROM CALIFORNIA

Mr. Chairman and members of the Committee: I appreciate the opportunity to submit this testimony in support of S. 240, a bill which Senator Pell and I introduced to extend daylight saving time. I want to encourage the subcommittee to move forward rapidly on extending Daylight Saving Time, whichever alternative extension legislation is chosen.

The bill we introduced would extend Daylight Saving Time (DST) for two months, beginning the first Sunday in March instead of the last Sunday in April, as currently observed.

Under our bill, DST would still end on the last Sunday of October. I have no objection to the extra week the subcommittee is considering adding in October to take in Halloween, but it does occur at a time when evening light is diminishing by two minutes each day, and dawn will come that much later each day. Mornings will be slightly darker than they now are. That is not to say they will be too dark, only that our bill, S. 240, takes a more cautious approach.

Under present law, Daylight Saving Time commenced this year on April 28 and ended this past Sunday, October 27.

On April 28, there are far more minutes of daylight than on October 27, and each day after October 27, the sun rises about two minutes later.

S. 240 is therefore designed to take advantage of the light available in March and April, just as present law uses the light available in September and October.



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On the days beginning on the first Sunday in March, dawn arrives at least as early as in October, and children would be leaving for school under light conditions at least as good as those they now have in October.

I know that some farmers are concerned about the effects that extending DST will have on the harvest season since many farmers harvest from sunrise to sunset.

But S. 240 does not alter the clock during the harvest season; and during planting season, the adjustment is minor.

The effect on their cows that some dairy farmers fear is present under any form of daylight saving time. It is not exacerbated by S. 240.

Since dawn comes at about the same time in March and April as in September and October, the cows would not face any conditions they are not already familiar with. Dawn, under any time system, comes at a different time each day.

Some legitimate concerns arose in 1974 from the enactment of the Emergency Daylight Saving Time Energy Conservation Act which provided for year round DST. But these concerns do not properly apply to S. 240.

Moreover, any state whose citizens are adversly affected may exercise the option of choosing to be exempt from DST, as several states presently are.

November through February are the months that are troublesome because of diminished available light.

I do not recommend extending DST during these months.

While these concerns are largely unrealistic, the benefits from extending daylight savings time to provide an additional hour of useful daylight is very real for many, many people. There are many advantages to extending Daylight Saving Time during the spring months.

S. 240 has the potential to save Americans the equivalent of 100,000 barrels of oil each day of extended DST.

Though the present world "oil glut" has diminished the attention on the need for conservation, oil remains a finite resource of which our supply is limited and diminishing.

Department of Transportation studies show that traffic fatalities and accidents as well as street crimes would decline with the extra hours of evening daylight in March and April.

I'm delighted that the subcommittee has finally taken up this issue in this session and is holding these hearings.

As the subcommittee is aware, the House recently passed H.R. 2095 which is identical to S. 1433, Senator Gorton's bill also before subcommittee.

Though I prefer the full extension of DST to eight months, and believe it is more logical, given our use of identical light conditions in the fall, I believe enactment of either of these bills would be a significant improvement over the current six month DST situation.

I urge the subcommittee to move this legislation forward at the earliest opportunity, so that we can complete action on it on the Senate floor during this session and look forward to more pleasant daylight hours next spring.

I thank the Chair.

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OFFICE OF THE GOVERNOR,
*Frankfort, KY, October 8, 1974.*

Hon. CLAUDE S. BRINEGAR,
*Secretary, Department of Transportation, Washington, DC.*

DEAR SECRETARY BRINEGAR: On January 3, 1974, by Proclamation, I, as Governor of the Commonwealth of Kentucky, petitioned the Secretary of the United States Department of Transportation, for a realignment of the time zone limits in Kentucky. This Proclamation and petitioned request was made necessary to avoid undue hardship and to conserve fuel in Kentucky resulting from the passage of the Emergency Daylight Saving Time Energy Conservation Act of 1973.

The Congress has enacted and the President has now signed H.R. 16102 into law. This legislation amends the Emergency Daylight Saving Time Energy Conservation Act of 1973 to exempt from its provisions the period from the Sunday in October, 1974 through the last Sunday in February, 1975.

This action on the part of the Congress will allow the nation to move the clocks back one hour during the months of November and December, 1974, and January and February, 1975. This section will alleviate, to a great degree, the problems of extreme hardship to school children, working mothers, agriculture and industry requiring daylight working conditions and to commerce during these winter months. My Proclamation of January 3, 1974, was primarily focused on the hardship which would result during the winter months by mandatory daylight saving time.

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In my judgment, the realignment of Kentucky's time zone limits, as proposed in my Proclamation and approved by the Secretary of Transportation on January 4, 1974, is obviated and rendered unnecessary by the enactment of H.R. 16102.

Therefore, as Governor of Kentucky, I hereby request that the Secretary of Transportation approve, effective at 2 o'clock antemeridian on the last Sunday of October, 1974, the following time zone limit adjustments in Kentucky:

(a) The counties of Boone, Kenton, Campbell, Grant, Pendleton, Bracken, Mason, Lewis, Greenup, Carter, Boyd and Lawrence would remain in the eastern standard time zone.

(b) The counties of Meade, Hardin, Larue, Taylor, Bullitt, Nelson, Marion, Casey, Jefferson, Spencer, Washington, Boyle, Lincoln, Pulaski, McCreary, Oldham, Shelby, Anderson, Mercer, Garrard, Rockcastle, Laurel, Whitley, Trimble, Henry, Franklin, Woodford, Jessamine, Madison, Jackson, Clay, Knox, Bell, Carroll, Owen, Scott, Fayette, Gallatin, Harrison, Bourbon, Clark, Estill, Lee, Owsley, Robertson, Nicholas, Montgomery, Powell, Fleming, Bath, Menifee, Wolfe, Breathitt, Perry, Leslie, Harlan, Rowan, Morgan, Magoffin, Knott, Letcher, Elliott, Johnson, Floyd, Martin and Pike would be realigned so as to be in the eastern standard time zone effective 2 a.m. Sunday, October 27, 1974.

(c) The counties of Ballard, Carlisle, Hickman, Fulton, McCracken, Graves, Livingston, Marshall, Calloway, Crittenden, Caldwell, Lyon, Trigg, Union, Webster, Hopkins, Christian, Henderson, McLean, Muhlenberg, Todd, Daviess, Ohio, Butler, Logan, Hancock, Breckinridge, Grayson, Edmonson, Warren, Simpson, Hart, Barren, Allen, Green, Metcalfe, Monroe, Adair, Cumberland, Russell, Clinton, and Wayne would remain in the central time zone of Kentucky.

In essence, this request reestablishes the time zone limits in Kentucky as they were prior to January 6, 1974, in light of H.R. 16102, an approval of this request will serve the convenience of commerce including carriers engaged in interstate and foreign commerce and the broadcast media. In addition, this requested action will not be detrimental to the national energy conservation program.

Even though the Emergency Daylight Saving Time Energy Conservation Act of 1973 terminates as of 2:00 a.m. Sunday, April 27, 1975, I am aware that H.R. 16102 amends this act by exempting from its provisions the period from the last Sunday in October 1974, through the last Sunday in February, 1975. This means that Kentucky, along with the rest of the nation, would be on daylight saving time by March of 1975.

According to official tables of sunrises and sunsets, during the month of March, 1975, the average sunrise and sunset, as projected by the United States Naval Observatory, will occur prior to 8:00 a.m. and after 7:30 p.m. respectively, in the eastern time zone of Kentucky while observing daylight saving time.

Unlike the harsher winter months, March and April do not pose the same kind of problems of undue hardship which people are required to endure when daylight saving time is imposed year round.

Approval of this request is also important in the context of our national policy of uniformity of time and to avoid a resulting chaotic time change situation. If no action is taken prior to October 27, 1974, those counties listed in (b) above, including the metropolitan communities of Louisville and Lexington, will have the following time changes during this period: On October 27, 1984, these counties would move the clocks back one hour and observe Central Standard Time (CST); on February 23, 1975, these counties would move the clocks forward one hour and observe Central Daylight Time (CDT); on April 27, 1975, these counties, as a result of the termination of the Emergency Daylight Saving Time legislation, would again move the clocks forward one hour and observe Eastern Daylight Time (EDT). Clearly, this result will not serve the convenience of commerce or the broadcast media; nor, will it alleviate the problems of undue hardship or serve the interests of the national energy conservation program which is the very basis for the amendment to the Emergency Daylight Saving Time Energy Conservation Act.

I urge your utmost attention to this vital matter and respectfully request your favorable consideration on this action.

Sincerely,

WENDELL H. FORD,
*Governor.*

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DEPARTMENT OF TRANSPORTATION, OFFICE OF THE SECRETARY

[OST Docket No. 34, Notice No. 74-13]

EMERGENCY DAYLIGHT SAVING TIME—KENTUCKY

The Emergency Daylight Saving Time Energy Conservation Act of 1973, as originally enacted (December 15, 1973, Public Law 93-182) ("the Act"), advances the standard time by one hour in all eight standard time zones of the United States continuously from 2 a.m. Sunday, January 6, 1974, to 2 a.m. Sunday, April 27, 1975, and provides that the time as so advanced shall be standard time. On October 5, 1974, the President signed an amendment to the Act (Public Law 93-434) which returns the United States to nonadvanced time for four months—from 2 a.m. Sunday, October 27, 1974, to 2 a.m. Sunday, February 23, 1975. Thus, under the amendment daylight saving time will not be observed in the United States during this four-month period.

Section 3(b) of the Act permits the President to grant a State's request for realignment of the existing limits of time zones if the State, by proclamation of its Governor, makes a finding prior to Sunday, January 6, 1974—the effective date of the Act—that such realignment is necessary to avoid undue hardship or to conserve fuel in such State or part thereof. By Executive Order 11751, issued December 15, 1973, the President designated and empowered the Secretary of Transportation to exercise the President's authority to grant realignments.

Procedures and criteria for implementation were promulgated by the Secretary (49 CFR Part 73; December 20, 1973, 38 FR 34876) which specifically reserved to the Secretary the authority to revoke or modify a realignment granted by the Secretary (49 CFR § 73.11(a)).

The Governor of the Commonwealth of Kentucky, the Honorable Wendell H. Ford, by proclamantion issued January 3, 1974, requested that the limits of the division between the eastern and central time zones in Kentucky be realigned during the effective period of the Act, to include within the central time zone all of the Commonwealth except twelve northeastern countries (Boone, Kenton, Cambell, Grant, Pendleton, Bracken, Mason, Lewis, Greenup, Carter, Boyd, and Lawrence). The twelve counties which were to remain in the eastern time zone are proximate to the Ohio and West Virginia State lines.

The proclamation and supporting data submitted by the Governor of Kentucky established that more than 75 percent of the population of Kentucky live in the exteme western edge of the eastern time zone (as than delineated); that observance of eastern advanced time within most of that portion of Kentucky in the eastern time zone would cause extreme hardship to school children, and to agriculture and industry requiring daylight working conditions; that the convenience of commerce would be served by western Kentucky counties observing the same time as adjacent areas in Tennessee and Indiana; and that the proposed realignment would not be detrimental to the national energy conservation program. The data submitted also established that the twelves counties which were to remain in the eastern time zone are commercially related to adjacent areas in Ohio and West Virginia, and that the convenience of commerce would best be served by their continued observance of the same time as those areas.

Upon consideration of the proclamation and supporting data, I found that the requested realignment of the limits of the eastern and contral time zones within Kentucky would be consistent with the objectives sought to be achieved by the Act. I therefore ordered that during the effective period of the Act (January 6, 1974 to April 27, 1975) the limit between the eastern and central time zones in the Commonwealth of Kentucky was to be defined as follows:

From the junction of the east line of Spencer County, Indiana, with the Indiana-Kentucky boundary northerly and easterly along that boundary to the west line of Boone County, Kentucky; thence southerly along the west line of Boone County to the north line of Grant County; thence west along the north line of Grant County to the west line of Grant County; thence southerly along the west line of Grant County to the south line of Grant County; thence easterly along the south lines of Grant and Pendletion Counties to the west line of Bracken County; thence south along the west line of Bracken County to the south line of Bracken County; thence easterly along the south lines of Bracken, Mason, Lewis, and Carter Counties to the west line of Lawrence County; thence south along the west line of Lawrence County to the south line of Lawrence County; thence easterly and northerly along the south line of Lawrence County to its junction with the Kentucky-West Virginia boundary; thence southerly along the Kentucky-West Virginia boundary and the Kentucky-

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Virginia boundary to the Kentucky-Tennessee boundary; thence west along the Kentucky-Tennessee boundary to its junction with the west line of Scott County, Tennessee (39 FR 1524, January 10, 1974).

In light of the recent amendment to the Act discussed above. Governor Ford, by letter of October 8, 1974, has requested that the Secretary change the expiration of the realignment from 2 a.m. Sunday, April 27, 1975, when the Act expires and the realignment originally was to expire, to 2 a.m. Sunday, October 27, 1974, when nonadvanced time resumes under the amendment. The requested action would return the limit between the eastern and central time zones in Kentucky to its normal alignment and return the affected part of Kentucky to the eastern time zone. Governor Ford cites the fact that during March (and, a fortiori, during April) the sun rises early enough and sets late enough in the affected part of Kentucky that the observance of advanced (daylight saving) time would not produce the undue hardship which the realignment was designed to relieve.

The Governor also cites the fact that, if his present request is not granted, the affected part of Kentucky, including th metropolitan areas of Louisville and Lexington, will undergo three time changes between October 27, 1974, and April 27, 1975: on October 27, 1974, from central daylight saving to central standard time; on February 23, 1975, from central standard to central daylight saving time; and on April 27, 1975, from central to eastern daylight saving time. These multiple time changes would be both confusing to the people in the area concerned and disruptive of commerce, the convenience of which is a prime concern of the time laws.

In consideration of the foregoing, I find that modification of the expiration of the temporary realignment of the limit between the eastern and central time zones in Kentucky to 2 a.m. central advanced (daylight saving) time on Sunday, October 27, 1974, as requested by the Governor of Kentucky, is consistent with the objectives sought to be achieved by the Act as recently amended. Effective at that time the limit between the eastern and central time zones in the Commonwealth of Kentucky shall be as it was prior to January 6, 1974, as defined in 49 CFR § 71.5(c). (Since central advanced time is the same time on the clock as eastern nonadvanced time, making the modification effective at 2:00 a.m. central advanced time will obviate changing clocks in the affected part of Kentucky.

Because of the short period of time between the enactment of Public Law 93-434 on October 5, 1974, and its taking effect October 27, 1974, and the necessity to act upon Governor Ford's proclamation prior to the latter date, I find that notice and public procedure on this action are contrary to the public interest and that good cause exists for making it effective in fewer than 30 days after publication in the Federal Register. For these same reasons it has not been possible to assess the need for and, if necessary, to prepare an environmental impact statement on this action. See section 102, National Environmental Policy Act of 1969 (January 1, 1970, Public Law 91-190, § 102, 83 Stat. 853; 42 U.S.C. 4332).

This action is taken pursuant ot section 3(b) of the Emergency Daylight Saving Time energy Conservation Act of 1973 (December 15, 1973, Public Law 93-182, § 3(b), 87 Stat. 708); Executive Order 11751 (38 F.R. 34725); and Part 73 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 73).

*Effective date:* This action is effective 2 a.m. central advanced (daylight saving) time Sunday, October 27, 1974.

Issued in Washington, D.C., On October 9, 1974.

CLAUDE S. BRINEGAR,
*Secretary of Transportation.*

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STATEMENT OF THE BARBECUE INDUSTRY ASSOCIATION

Mr. Chairman and Members of the Subcommittee: The Barbecue Industry Association is pleased to support S. 1433, legislation to expend daylight saving time.

The Barbecue Industry Association is an organization of domestic and foreign manufacturers of charcoal briquets, barbecue grills, lighting materials, utensils, accessories, grocery products, supplies and services. Our number one priority is market promotion.

The industry is dependent upon a high level of consumer demand for barbecue products and economic environmental conditions that provide millions of consumers an opportunity to enjoy the barbecue lifestyle. Barbecuing is a unique method of cookery which currently involves over 66 million households in the United States.

S. 1433 would amend the Uniform Time Act of 1966 to begin observance of Daylight Saving Time on the first Sunday in April and end Daylight Saving Time on the first Sunday in November.

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We now observe Daylight Saving Time from the last Sunday in April to the last Sunday in October—six months on and six months off.

INDUSTRY BACKGROUND

The Barbecue Industry Association was formed in 1958 to represent the economic interests of manufacturers of charcoal briquets, barbecue grills, utensils and accessories, and other suppliers of materials and services to the industry.

In 1958, the industry was in its initial first decade of growth and development. It was a new industry enjoying rapid growth. According to our records, sales of charcoal briquets and barbecue grills have a record of continuous uninterrupted sales growth—every single year since the industry was originally founded in the mid 1940's.

Barbecuing is an important method of food cookery and use of farm products. It is a part of the American way of life. It provides the American people with an interesting, family oriented method of food preparation.

Scientific market surveys show that U.S. consumers enjoy barbecuing outdoors because the food tastes good, it is a pleasant diversion to cook outdoors, it is a change of pace, and it provides an opportunity for informal relaxed activity for the entire family.

Barbecuing is predominately an outdoor activity. As a result, the supplying manufacturing companies and consumers who enjoy barbecuing are especially dependent upon the availability of daylight hours and other climatic or environmental conditions that impact on outdoor activity.

Since 1960, the Barbecue Industry Association and its predecessor organizations have promoted the barbecue lifestyle through a wide range of marketing communications methods to involve more individuals in outdoor barbecuing.

Consumer involvement since the mid 1940's has grown from virtually nothing to the current level of over 66 million households. That is a dramatic record of growth. We are now forecasting 70 million barbecuing households by 1990, involving close to 200 million American people.

SIZE OF THE INDUSTRY

Barbecuing is a major U.S. growth market. In 1985, there will be some 1.1 billion individual family barbecues. This magnitude of activity has a *major economic impact* on a number of important industries in United States. Retail sales of products and services being used by outdoor barbecuers in United States are pegged at $5.9 billion in 1985. Here is the breakdown:

| | |
|---|---|
| Food and grocery items | $4,800,000,000 |
| Charcoal briquets | 418,000,000 |
| Barbecue grills | 570,000,000 |
| Lighter products | 143,000,000 |
| Tools and equipment | 31,000,000 |
| Miscellaneous | 4,600,000 |
| Total consumer expeditures | 5,900,000,000 |

Hundreds of U.S. companies and employees of those companies depend upon the barbecue growth market for their economic existence and livelihoods.

Data compiled recently by the Barbecue Industry Association revealed that at least 35,000 people work directly for companies that are totally involved in manufacturing barbecue products.

The number of workers that are heavily involved in industry support and services is unknown. It is an impressive list, however, including sales representatives, a vast array of supplies and services manufactured for the barbecue industry companies, outside representatives, advertising and public relations people, the transportation industry, building and construction, forestry products, chemicals, and many other businesses and professions that provide services to the industry.

The availability of at least five more weeks of daylight saving time will, in our estimation, have a very direct and positive effect upon the future growth and health of the total barbecue industry including sales of meat products grown on the farm.

Likewise, we believe it is in the best interest of the U.S. economy to extend Daylight Saving Time according to the provisions of S. 1433.

BENEFITS TO THE BARBECUE INDUSTRY

The extension of Daylight Saving Time means a lot more than increased barbecuing to the companies in this industry.

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Our initial forecasts indicate that the added daylight at the dinner hour could boost annual sales of charcoal briquets by at least 7-8%—up to $24,000,000 of additional sales annually. Starter fluid which is used to light some 70% of all charcoal briquet fires could increase sales by some $8,000,000 annually.

The extension of Daylight Saving Time would be especially beneficial to the barbecue grill industry. Earlier sales will provide an extended selling season which traditionally ends at the retail level shortly after the 4th of July. The increase in barbecue grill sales would amount to an additional $45,500,000 in annual sales and a unit sales increase of some 200,000 grills.

### BENEFITS TO THE SUPPLYING INDUSTRIES

Since barbecuing is an alternate method of food cookery, it is important to recognize the importance to the food and grocery business. Barbecuing impacts on the entire production and marketing chain from farm-to-table.

### MEAT IS BASIC TO BARBECUING

Virtually all consumers build their barbecue menu around beef, pork, poultry, seafood, or lamb. Additional barbecuing, according to livestock and meat industry economists, is a positive economic factor. It adds consumer demand in the summer months when demand for meat products is ordinarily slack.

During a conversation with the National Live Stock & Meat Board, their spokesperson emphasized that barbecuing is definitely good for the nation's livestock and meat industry. He stated that add-on barbecue sales can provide a much needed stimulus to the industry and that additional evening daylight hours will add promotional incentives to meat sales.

The barbecue grill industry is a major contributing factor to the health and vitality of our basic steel and aluminum industries. Additional sales of barbecue grills will most assuredly convert to additional employment opportunities in the basic metals companies. Those basic industries could be strengthened by increased domestic sales and help offset the impact of imported steel.

Another example. The transportation industry accrues enormous business from the shipment of barbecue products. Over 1,550,000,000 pounds of charcoal briquets are shipped annually. If shipped by motor freight, it would require the dispatching of at least 38,750—45 ft. semi-trailers.

A 7-8% increase in charcoal briquet sales should reflect in a measurable impact upon the nation's truck manufacturing industry. The labor force—the whole transportation complex would benefit.

### BENEFITS TO THE PUBLIC

People in the United States like to barbecue. It is part of the American way of life. A scientific Market Research Study conducted for the barbecue industry in 1985 by National Family Opinion Research revealed that 77% of all family households barbecue at least once a year.

Six weeks of additional evening daylight hours for 66 million families will accrue personal advantages because more consumers will be able to barbecue more often and enjoy a lifestyle that they prefer for their families. There would be a new element of convenience not previously available to busy, two career families.

About 82% of all barbecuing families live in a single family dwelling. Most own their own residence. Consequently, the demographic characteristics of barbecuers places them on a "fast track" with pressure to accomplish additional outdoor responsibilities in the evening, especially in the spring. One more hour of evening daylight for four additional weeks in the springtime can add a considerable advantage to families that enjoy outdoor living and all of its benefits.

### CONCLUSION

We trust that our comments will be helpful during your consideration of this legislation. Thank you for this opportunity to present our views in support of S. 1433 pending before the sub-committee.

We are ready to develop additional information or more specific data if it will add to the arguments in favor of extending Daylight Saving Time.

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STATEMENT OF THE AMERICAN FARM BUREAU FEDERATION

Farm Bureau appreciates this opportunity to present its views on S. 240, which extends the length of daylight saving time.

The American Farm Bureau Federation is the nation's largest general farm organization with a membership of over 3.3 million member families in 48 states and Puerto Rico. Farm Bureau policy is developed by the producer members at the county, state and national levels of the organization.

Farm Bureau policy regarding daylight saving time states: "Daylight saving time should be limited to the period between Memorial Day and Labor Day. We oppose efforts to extend the present length of daylight saving time."

Farm Bureau is concerned about lengthening the daylight saving time period for the following reasons:

1. Parents are concerned about their children waiting for a bus or walking to school in the dark. Even though the Department of Transportation has a study to show there would be no increase in accidents if daylight saving time were extended, no amount of studies can alleviate the concern in parents' minds. With the increased reports of child molesting and crime and the obvious fact that drivers cannot see as well in the dark, rural people do not accept those conclusions.

2. During the harvest season, many farmers must wait until the sun comes out and the dew disappears before they can begin work in the morning. This applies especially to the combining of small grains, soybeans and making hay. If farmers are to continue their church and community activities during the evening, they must quit work earlier by the sun, thereby losing at least one hour of work-time each day. Surely everyone is eager for rural people to participate in community events. Farmers are eager for this to happen, but daylight saving time does impede this ability.

3. About 50 percent of farmers now hold second jobs and would have less daylight in the morning to do morning chores if S. 240 is adopted.

We appreciate this opportunity to present our reasons for opposing the extension of daylight saving time.

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H & K COMPUTER CORP.,
KANSAS CITY, MO. *October 28, 1985.*

Senator SLADE GORTON,
*Senate Commerce Committee, Hart Senate Office Building, Washington, DC.*

DEAR SENATOR GORTON: Please consider this our formal protest against the pending bill to extend daylight savings time.

We are a small electronic firm located in Kansas City, Missouri that has been in business since 1977. We have just recently finished research and development and are now starting to manufacture and market a microprocessor timer board that has as a basis a time chip produced by Motorola, Inc. in Austin, Texas. This time chip is pre-programmed with many features including daylight savings time compensation.

With this chip the clock is automatically set forward an hour on the 4th Sunday in April and back an hour on the 4th Sunday in October. Without this feature our product will be useless and since we have about $150,000.00 in development the company will cease to exist. This, however, will not be an isolated case. This chip is used in many areas including some of the most popular computers on the market today.

Any area that needs time control and that uses this chip will find passage of the bill to be very costly to their company—whether as manufacturers or end of the product. We are a small company and our cost will be in excess of $150,000.00. Multiply this many, many times to take into account the many companies using this specific time chip. Be assured that there are many people besides those living and working in rural areas that will be ill-effected by this proposed extension.

Since this is not an isolated case, we will appreciate your most careful consideration in this matter.

Sincerely,

MARY W. SEARS,
*Vice President.*

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AIR TRANSPORT ASSOCIATION,
*Washington, DC, October 30, 1985.*

Hon. SLADE GORTON,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR GORTON: The Air Transport Association of America, which represents the scheduled airlines, understands that the Subcommittee on Science, Technology and Space is considering legislation to extend the period of daylight saving time. We take no position on the advisability of adopting an extension, but we would like to take this opportunity to emphasize our concern with statutory provisions which permit states to exempt themselves from uniform time standards.

Time uniformity is critically important to consumer convenience and to the complicated task of flight scheduling. The airlines' highly integrated "hub and spoke" systems depend for their success upon a coordinated network of connecting flights. Obviously, if states exempt themselves from uniform time standards, various arrival and departure times would change, necessitating a revamping of schedules, and possible elimination of flights.

Scheduling to meet consumer demand could be hampered because many airports now impose time-related restrictions on the use of certain aircraft. Many flights must depart no earlier than a certain time or arrive no later than another time. A one-hour change at one airport, resulting from an exemption, could easily eliminate flights to and from other airports. A similar problem would result at those airports operating under federally imposed, time-based, "slot" restrictions.

States taking exemptions can cause confusion among the traveling and shipping public, with many flights arriving earlier than their departure time.

The airline industry believes that time uniformity best serves the consumer and best enables the industry to use it resources efficiently. If Congress determines that daylight savings time should be extended, it should require that all states observe that extension.

Sincerely,

WILLIAM J. BURHOP,
*Senior Vice President, Government Affairs.*

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NORTHWEST RAIL IMPROVEMENT COMMITTEE,
*Everett, WA, October 30, 1985.*

Re Testimony for Hearing on Extension of Daylight Saving Time.

U.S. SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
*Hart Senate Office Building,*
*Washington, DC.*
Attn. Charlie Faust.

GENTLEMEN: Please include the following testimony in the record of the hearings on Extension of Daylight Saving Time:

It is a significant nuisance to every person in the United States to be forced to set all his clocks and watches twice a year, not to mention the inconvenience of many special clocks that are difficult to set. Far worse is the concomitant adjustment of life and work schedules. Those who are on shift at the time the clocks are changed must work an hour longer or less; payrolls and industrial process schedules must be adjusted; long-distance transportation schedules are disrupted.

During the war, in the early 1940's, we had daylight saving time all year around, and I don't recall it as being significantly hard on anybody. The only serious complaint I have heard is that in winter school children had to go to school in the dark, which presented a possible safety problem. However, in the northern states at least, those who stay after school for extra-curricular activities have to go home in the dark; so I fail to see morning darkness as being a great disadvantage to very many people. It would seem that late afternoon daylight is as great an advantage to vastly more people.

In view of the very strong probability that the disadvantages to all people of setting clocks and adjusting schedules twice a year greatly outweigh the advantages to relatively few of earlier daylight on winter mornings, I urge you to extend daylight saving time to the entire year.

Respectfully submitted.

GORDON W. ROGERS.

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